



## Department of Natural Resources Spring Wildlife and Fisheries Rules Hearings

and



### Conservation Congress County Meeting

**Monday, April 10, 2006**

**7:00 PM**

#### Agenda

- |                                  |                     |
|----------------------------------|---------------------|
| 1. Registration                  |                     |
| 2. WCC – Delegate Election       | WCC Delegate(s)     |
| 3. DNR – Wildlife Rules Hearing  | DNR Hearing Officer |
| 4. NRB – Advisory Question       | DNR Hearing Officer |
| 5. DNR – Fisheries Rules Hearing | DNR Hearing Officer |
| 6. WCC – Advisory Questions      | WCC Delegate(s)     |
| 7. Citizen Resolutions           | WCC Delegate(s)     |

Everyone will be given an opportunity to comment on the questions, but you will be limited to a maximum of three (3) minutes for each question that you wish to discuss. If comments become repetitive the hearing officer may limit comments to issues not previously presented. No argument or rebuttal will be allowed on DNR rule proposals. Written comments on all DNR rule proposals will be accepted until the end of the comment period in the hearing notice found on page 10.

**Your input is requested, to ensure all of your input is gained did you receive all of the items below?**

- |  |  |
|--|--|
| <input type="checkbox"/> Registered                  | <input type="checkbox"/> Received a white ballot |
| <input type="checkbox"/> Received this questionnaire | <input type="checkbox"/> Received a blue ballot  |

**If you are a resident of the county in which you are attending the meeting, and are at least 18 years of age you may vote for the Wisconsin Conservation Congress delegates. A photo id is required in order to receive a ballot to vote for candidates.**

- |   |   |
|---|---|
| <input type="checkbox"/> 2-Year Term ballot         | <input type="checkbox"/> 3-Year Term ballot         |
| <input type="checkbox"/> 2-Year Term Run off ballot | <input type="checkbox"/> 3-Year Term Run off ballot |

**If you are a resident of the county in which you are attending the meeting, and are at least 18 years of age you may run to be elected to the Wisconsin Conservation Congress.**

**Please visit our website at  
<http://dnr.wi.gov/org/nrboard/congress/springhearings>**

## **Important Notice: Statewide Electronic Balloting**

**Please read the instructions below before voting.**

This year, votes in every county will be recorded on electronic ballots. Statewide no hand count will be taken.

After you have registered, staff will provide you with a **white ballot** – the white ballot is for all the Department of Natural Resources Proposed Wildlife & Fisheries Rule Changes, Natural Resources Board and Wisconsin Conservation Congress proposed advisory questions that are printed in this questionnaire.

You will also be given a **blue ballot** – the blue ballot is for all citizen introduced resolutions which are presented at the end of the Conservation Congress county meeting.

In order for ballots to be read correctly by the voting machine:

1. Use a PENCIL on ballots - not pen
2. DO NOT erase
3. DO NOT circle answers
4. DO NOT make notes or stray marks anywhere on the ballot

**Please see the examples of the white ballot below and blue ballot on the following page.**

## **Important Notice: Statewide Electronic Balloting**

**Sample White Ballot below, the White ballot is for Proposed Questions contained within the Questionnaire.**

001

**DEPARTMENT OF NATURAL RESOURCES  
SPRING HEARING QUESTIONS**

INSTRUCTIONS: To vote on a question, complete the arrow to the RIGHT of "YES" if in favor of the question or complete the arrow to the RIGHT of "NO" if opposed to the question.

QUESTIONS	QUESTIONS (cont.)
Question 1: YES NO	Question 22: YES NO
Question 2:	Question 23:

**Question 1: Do you support changing the closing date of the ruffed grouse season in Zone A from December 31 to January 31, so it is the same season as currently in Zone B?**

1. Yes \_\_\_\_\_ No \_\_\_\_\_

If you are **in favor** of the question, please mark **Yes** as indicated above. If you are **Not** in favor of the proposed question please mark **No**.

## Important Notice: Statewide Electronic Balloting

Sample Blue Ballot below, the Blue ballot is for Citizen Introduced Resolution that are Introduced on the Floor this Evening.

002

### CONSERVATION CONGRESS SPRING HEARING RESOLUTIONS

INSTRUCTIONS: To vote on a resolution, complete the arrow to the RIGHT of "YES" if in favor of the resolution or complete the arrow to the RIGHT of "NO" if opposed to the resolution.

RESOLUTIONS	RESOLUTIONS (cont.)
Resolution 1: YES NO	Resolution 22: YES NO
Resolution 2: YES NO	Resolution 23: YES NO
Resolution 3: YES NO	Resolution 24: YES NO
Resolution 4: YES NO	Resolution 25: YES NO
Resolution 5: YES NO	Resolution 26: YES NO
Resolution 6: YES NO	Resolution 27: YES NO

**Resolution 1:** BE IT RESOLVED, the Conservation Congress at its annual meeting held in Your County on Month, Date, Year, recommends that the Department of Natural Resources take action to correct this situation by introducing rule changes allowing a spring dinosaur hunting season?

1. Yes \_\_\_\_\_ No \_\_\_\_\_

If you are **in favor** of the question, please mark **Yes** as indicated above. If you are **Not** in favor of the proposed question please mark **No**.

**Thank you for your participation and cooperation.**

**Please enjoy the Hearing and Meeting.**

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BEFORE THE  
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PUBLIC HEARINGS

WM-1-06

FH-12-06

NOTICE IS HEREBY GIVEN that pursuant to ss. 23.09(2)(b), 29.014, 29.089(3), 29.091, 29.164(4)(b), 29.184(6) and 29.197(2), Stats., interpreting ss. 23.09(2)(b), 29.014, 29.089(3), 29.091, 29.164(4)(b), 29.184(6) and 29.197(2), Stats., the Department of Natural Resources will hold public hearings on revisions to chs. NR 10, 15, 17 and 19, Wis. Adm. Code, relating to deer and turkey hunting, hunting and trapping techniques, permit and license issuance, dog training and learn-to-hunt programs. The proposed changes:

1. Extend the closing date of the ruffed grouse season in Zone A from December 31 to January 31, thereby consolidating ruffed grouse hunting zones from 3 to 2.
2. Expand the fall wild turkey hunting season from October 1 – November 10 to the Saturday nearest September 15 and continuing through the Thursday immediately prior to the opening of the deer gun season. This would be the same as the early archery deer season dates.
3. Create a 2-day youth turkey hunt on the weekend before the regular spring turkey season begins.
4. Extend the ending of the spring wild turkey hunting hours from 5:00 p.m. to sunset.
5. Prohibit possession of electronic turkey calling equipment while turkey hunting, and prohibit possession of electronic waterfowl calling equipment while waterfowl hunting.
6. Create consistent standards for body-gripping type traps, where traps 75 square inches or larger would be illegal as dry land sets, traps between 60 and 75 square inches would be legal only when half the trap is below water at all times, or when at least 5 feet off the ground, or when properly enclosed, and creating a maximum allowable height dimension of 7½ inches for dry land body-gripping traps.
7. Issue turkey carcass tags remaining after the initial special license drawing over-the-counter at a rate of one carcass tag per customer per day.
8. Change the “no dog training” period from April 15-July 31 to April 1-July 31.
9. Change the minimum age of the Youth Learn to Hunt Program from age 11 to age 10 to be consistent with current department policy.
10. Allow Class A bear licenses to be purchased up to the day prior to the bear season, and allow the purchase of a Class A bear license during the bear season, provided the license is not effective until three days after the date of purchase.
11. Allow the use of rifles in Kewaunee County during the gun deer season.
12. Create a limited entry nine-day shotgun deer gun season, followed by a ten-day muzzleloader season and late archery season at High Cliff State Park.
13. Eliminate the Greenwood “No Entry Wildlife Refuge” in Waushara County.
14. Require a pheasant stamp statewide for anyone who wishes to hunt pheasants.

NOTICE IS HEREBY FURTHER GIVEN that pursuant to ss. 29.014(1), 29.039, 29.041 and 227.11(2)(a), Stats., interpreting ss. 29.014(1), 29.039, 29.041, 29.161, 29.204, 29.207, 29.219, 29.228, 29.231, 29.235, 29.531, 29.533 and 29.624, Stats., the Department of Natural Resources will hold public hearings on revisions to chs. NR 20, 21, 23 and 24, Wis. Adm. Code,

relating to fishing on the inland, outlying and boundary waters of Wisconsin. The proposed changes:

1. Consider 50" minimum size limit for muskellunge in Lake Winnebago, to be consistent with Great Lakes spotted musky rehabilitation protocol in connected waters.

2. Consider 50" minimum size limit for muskellunge in Little Lake Butte des Morts and the Fox River downstream from the Neenah and Menasha dams to the DePere dam, to be consistent with Great Lakes spotted musky rehabilitation protocol in connected waters.

3. Extend sunset provision of Wisconsin, Lemonwies and Yellow River experimental regulations for walleye and sauger, from the Grandfather dam downstream to the Prairie du Sac dam. The experimental 15" minimum/20-28" no harvest slot will be extended until 2014 to enable the Department to fully evaluate the efficiency of the regulation.

4. Prohibit recreational harvest of live freshwater mussels from inland waters of the state, excluding the Great Lakes and the Mississippi River.

5. Establish a catch-and-release only fishery for lake sturgeon in the Menominee River downstream from the Hattie St. dam, and modify the minimum length limit for lake sturgeon above the Hattie St. dam to coincide with recently approved changes to Michigan regulations.

6. Simplify walleye regulations in the Menominee River below the Hattie St. dam and in waters of Green Bay, to provide consistent regulations for anglers fishing either Wisconsin or Michigan waters.

7. Revise opening date for game fish season on the St. Croix River to provide anglers with an opening date consistent between Wisconsin and Minnesota waters.

8. Revise the minimum length limit for sauger on the St. Louis River to provide anglers with a regulation consistent in Wisconsin and Minnesota waters.]

9. Prohibit possession or use of a sinker release device while fishing in waters of the state.

10. Revise code to allow individuals younger than 16 years old to take, possess and control turtles without the requirement to hold a valid fishing or small game license.

11. Modify removal dates for ice shanties from March 1 (south of Hwy. 64) and March 15 (north of Hwy. 64) to "the first Saturday following March 1 and the first Saturday following March 12, respectively".

12. Expand the list of waters where bowfishing is permitted between sunset and sunrise.

13. Replace the 14" minimum size limits for largemouth and smallmouth bass in Pigeon Lake, Bayfield County, with a 14-18" no-harvest slot regulation and reduce the daily bag limit from 5 fish to 3 fish.

14. Extend sunset provision for 18" minimum/3 fish daily bag limit for walleye in Beaver Dam Lake, Dodge County, to enable the Department to fully evaluate the impacts of the

regulation. This proposal will also encompass all Beaver Dam Lake tributary streams, which were inadvertently excluded from the original rule.

15. Increase the minimum length limit for walleye in Kangaroo Lake, Door County, from 15" to 18" and reduce the daily bag limit from 5 fish to 3 fish.

16. Increase the minimum size limits for largemouth and smallmouth bass in Muskellunge Lake, Lincoln County, from 14" to 18" and reduce the daily bag limit from 5 fish to one fish.

17. Replace the 18" minimum size limits for largemouth and smallmouth bass in Pigeon Lake, Bayfield County, with a 14-18" no-harvest slot regulation and increase the daily bag limit from one fish to 3 fish.

18. Increase the minimum size limit for muskellunge in Pelican Lake, Oneida County, from 34" to 50".

19. Replace the current 14" minimum size limits for largemouth and smallmouth bass with no minimum size limit in Big Butternut Lake, Polk County.

20. Replace the 14" minimum size limits for largemouth and smallmouth bass with no minimum size limit in Nelson Lake, Sawyer County.

21. Increase the minimum length limit for northern pike in Nelson Lake, Sawyer County, from "no minimum" to 32", and reduce the daily bag limit from 5 fish to one fish.

22. Reduce the daily bag limit for panfish in Smith lake, Sawyer County, from 25 fish to 10 fish.

23. Increase the minimum size limits for largemouth and smallmouth bass in Kentuck Lake, Vilas County, from 14" to 18" and reduce the daily bag limit from 5 fish to one fish.

24. Increase the minimum size limits for smallmouth bass in Palette Lake, Vilas County, from 16" to 22" and reduce the daily bag limit from 2 fish to one fish.

25. Extend open trout season in Gilbert, Pine and Pearl Lakes, Waushara County, to coincide with regular gamefish season.

26. Remove special regulations for northern pike and muskellunge in Long Lake, Waushara County, and revert to statewide standard regulations.

NOTICE IS HEREBY FURTHER GIVEN that pursuant to s. 227.114, Stats., it is not anticipated that the proposed rules will have an economic impact on small businesses. The Department's Small Business Regulatory Coordinator may be contacted at [SmallBusiness@dnr.state.wi.us](mailto:SmallBusiness@dnr.state.wi.us) or by calling (608) 266-1959.

NOTICE IS HEREBY FURTHER GIVEN that the Department has made a preliminary determination that this action does not involve significant adverse environmental effects and does not need an environmental analysis under ch. NR 150, Wis. Adm. Code. However, based on the comments received, the Department may prepare an environmental analysis before

proceeding with the proposal. This environmental review document would summarize the Department's consideration of the impacts of the proposal and reasonable alternatives.

NOTICE IS HEREBY FURTHER GIVEN that at 7:00 p.m. on Monday, April 10, 2006, the County Conservation Congress for each county will hold its election of delegates. Upon completion of the delegate election, the joint Spring Hearing/Conservation Congress meeting will convene to take comments on the foregoing rule modifications.

NOTICE IS HEREBY FURTHER GIVEN that the hearings will be held on Monday, April 10, 2006 at 7:00 p.m. at the following locations:

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NOTICE IS HEREBY FURTHER GIVEN that the hearings will be held on Monday, April 10, 2006 at 7:00 p.m. at the following locations:

Adams	Adams-Friendship Middle School, Gymnasium, 420 North Main Street, Friendship
Ashland	Ashland Senior High School, Auditorium, 1900 Beaser Avenue, Ashland
Barron	Barron County Courthouse, Auditorium, 330 E. Lasalle Ave., Barron
Bayfield	Bayfield County Courthouse, 117 E. 5 <sup>th</sup> , Washburn
Brown	West High School, Auditorium, 966 Shawano Avenue, Green Bay
Buffalo	Alma High School, Auditorium, S1618 STH 35, Alma
Burnett	Siren High School, Auditorium, 24022 Fourth Avenue N, Siren
Calumet	Chilton Public High School, Auditorium, 530 West Main Street, Chilton
Chippewa	Chippewa Falls Middle School, Auditorium A, 750 Tropicana Blvd., Chippewa Falls
Clark	Greenwood High School, West Gym, 306 W. Central Ave., Greenwood
Columbia	Portage Junior High School, 2505 New Pinery Road, Portage
Crawford	Prairie du Chien High School, Auditorium, 800 East Crawford Street, Prairie du Chien
Dane	Alliant Energy Center, 1919 Alliant Energy Way, Madison
Dodge	Horicon High School, Auditorium, 841 Gray Street, Horicon
Door	Sturgeon Bay High School, Auditorium, 1230 Michigan Street, Sturgeon Bay
Douglas	Solon Springs High School, Gymnasium, 8993 E. Balwin Ave., Solon Springs
Dunn	Dunn County Fish & Game Club, 1900 Pine Ave., Menomonie
Eau Claire	South Middle School, Auditorium, 2115 Mitscher Ave., Eau Claire
Florence	Florence High School, Auditorium, 400 Olive Avenue, Florence
Fond du Lac	Theisen Jr. High School, Auditorium, 525 E. Pioneer Rd., Fond du Lac
Forest	Crandon High School, Auditorium, 970 USH 8 W, Crandon
Grant	Lancaster High School, Hilary Auditorium, 806 E. Elm St., Lancaster
Green	Monroe Middle School, Auditorium, 1510 13th Street, Monroe
Green Lake	Green Lake High School, Multi-purpose room, 612 Mill Street, Green Lake
Iowa	Dodgeville High School, Gymnasium, 912 West Chapel Street, Dodgeville
Iron	Mercer Community Center, 2448 West Margaret, Mercer
Jackson	Black River Falls Middle School, LGI Room, 1202 Pierce Street, Black River Falls
Jefferson	Jefferson County Fair Park, Activity Center, 503 N. Jackson, Jefferson
Juneau	Mauston High School, Gymnasium, 800 Grayside Ave., Mauston
Kenosha	Bristol Grade School, Gym, 20121 83 <sup>rd</sup> Street, Bristol
Kewaunee	Kewaunee High School, Theatre, 911 3 <sup>rd</sup> Street, Kewaunee
La Crosse	Onalaska High School, Auditorium, 700 Wilson Street, Onalaska

Lafayette	Darlington High School, Auditorium, 11838 Center Hill Road, Darlington
Langlade	Antigo High School, Volm Theater, 900 10 <sup>th</sup> Avenue, Antigo
Lincoln	Tomahawk Elementary School, Auditorium, 1048 E. Kings Road, Tomahawk
Manitowoc	UW-Manitowoc, Theater, 705 Viebahn Street, Manitowoc
Marathon	Wausau West High School, 1200 West Wausau Ave., Wausau
Marinette	Crivitz High School, Auditorium, 718 Hall Hay Street, Crivitz
Marquette	Montello High School, Varsity Gym, 222 Forest Lane, Montello
Menominee	Menominee County Courthouse, Basement, Courthouse Lane, Keshena
Milwaukee	Bayfield High School, Auditorium, 2751 South Lenox Street, Milwaukee
Monroe	Tomah High School, Gym, 901 Lincoln Avenue, Tomah
Oconto	Suring High School, Cafeteria, 411 E. Algoma Street, Suring
Oneida	James Williams Junior High, Auditorium, 915 Aracia, Rhinelander
Outagamie	Riverview Middle School, Auditorium, 101 Oak Street, Kaukauna
Ozaukee	Webster Middle School, Commons, W75 N624 Wauwatosa Rd., Cedarburg
Pepin	Pepin County Government Center-Co., Board Room, 740 7 <sup>th</sup> Avenue, W. Durand
Pierce	Ellsworth Senior High School, Auditorium, 323 Hillcrest, Ellsworth
Polk	Unity High School, Gymnasium, 1908 150 <sup>th</sup> Street/Hwy 46, Balsam Lake
Portage	Ben Franklin Jr. High School, Auditorium, 2000 Polk Street, Stevens Point
Price	Phillips High School, Auditorium, 990 Flambeau Avenue, Phillips
Racine	Union Grove High School, Auditorium, 3433 S. Colony Avenue, Union Grove
Richland	Richland Center High School, Auditorium, 23200 Hornet High Drive, Richland Center
Rock	Loyal Order of Moose Lodge, 2701 Rockport Road, Janesville
Rusk	Ladysmith High School, Cafeteria, 1700 Edgewood Avenue East, Ladysmith
Saint Croix	Indianhead Technical College, Cashman Auditorium, 1019 S. Knowles Ave., New Richmond
Sauk	UW-Baraboo/Sauk County, 1006 Connie Road, Room A4, Baraboo
Sawyer	Hayward High School, Auditorium, 10320 Greenwood Lane, Hayward
Shawano	Shawano Community Middle School, LG 1, 1050 S. Union Street, Shawano
Sheboygan	Sheboygan Falls High School, Auditorium, 220 Amherst Ave., Sheboygan Falls
Taylor	Taylor County Multi-Purpose Building, Intersection of Hwy 64&13, Medford
Trempealeau	Whitehall City Center, Gymnasium, 36245 Park Street, Whitehall
Vernon	Viroqua High School, Auditorium, Viroqua
Vilas	Sayner Community Center, Golf Course Road, Sayner
Walworth	Delavan/Darien High School, 150 Cummings, Delevan
Washburn	WI Ag Research Station, Conference Room, W6646 Hwy 70, Spooner
Washington	Washington County Fair Park, Exhibit Hall, 3000 Hwy PV, West Bend
Waukesha	Waukesha South High School, Auditorium, 401 E. Roberta Ave., Waukesha
Waupaca	Waupaca High School, Auditorium, E2325 King Road, Waupaca
Waushara	Waushara County Courthouse, County Board Room, 2nd Floor, Room 265, 209 S. St. Marie St., Wautoma
Winnebago	Webster Stanley Middle School, Auditorium, 915 Hazel St., Oshkosh
Wood	Pittsville High School, Auditorium, 5459 Elementary Avenue, Pittsville

NOTICE IS HEREBY FURTHER GIVEN that pursuant to the Americans with Disabilities Act, reasonable accommodations, including the provision of information material in an alternative format, will be provided for qualified individuals with disabilities upon request. Please call AnnMarie Kutzke at (608) 266-2952 with specific information on your request by April 3, 2006.

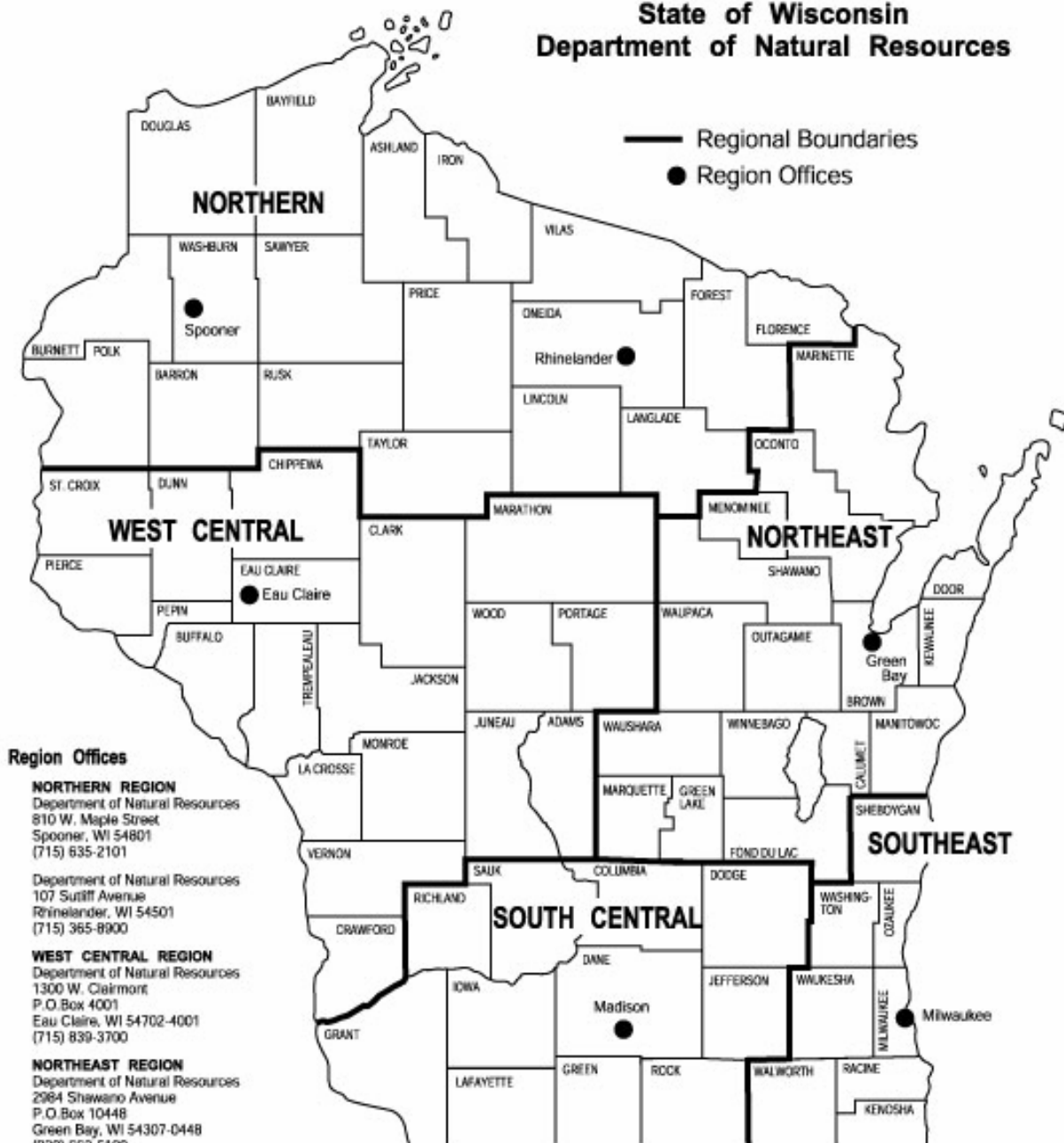
The proposed rules and fiscal estimates may be reviewed and comments electronically submitted at the following Internet site: [adminrules.wisconsin.gov](http://adminrules.wisconsin.gov). Written comments on the proposed hunting and trapping regulations may be submitted via U.S. mail to Mr. Kurt Thiede, Bureau of Wildlife Management, P.O. Box 7921, Madison, WI 53707. Written comments on the proposed fishing regulations may be submitted via U.S. mail to Mr. Joe Hennessy, Bureau of Fisheries Management, P.O. Box 7921, Madison, WI 53707. Written comments shall be postmarked not later than April 11, 2006. Written comments whether submitted electronically or by U.S. mail will NOT, however, be counted as spring hearing votes.

Dated at Madison, Wisconsin \_\_\_\_\_

STATE OF WISCONSIN  
DEPARTMENT OF NATURAL RESOURCES

By \_\_\_\_\_  
Scott Hassett, Secretary

**State of Wisconsin  
Department of Natural Resources**



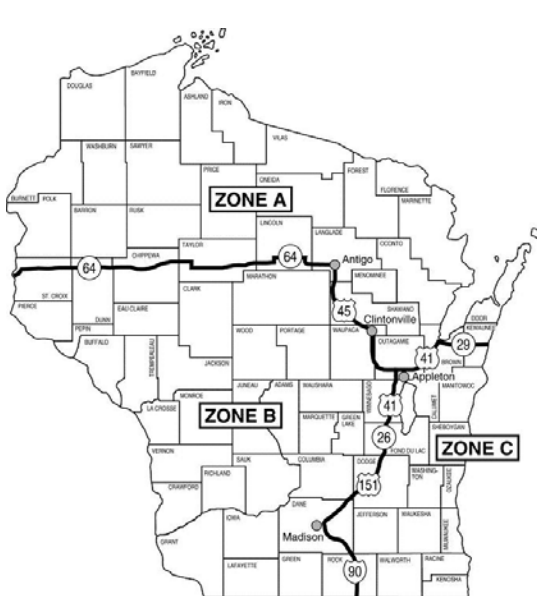
REV 1/2009

# PROPOSED STATEWIDE WILDLIFE MANAGEMENT RULES CHANGES

## Question 1: Zone A Ruffed Grouse Season Extension (Effective 2007)

Currently, the ruffed grouse season in Zone A begins on the Saturday nearest September 15<sup>th</sup> and continues through December 31<sup>st</sup>. This rule change would lengthen the ruffed grouse season in Zone A so that it would end on January 31<sup>st</sup>, which would create a season identical to Zone B. Essentially, the old Zone A boundary would be eliminated, creating just two ruffed grouse zones for the state as shown in the map on the right (below).

Zone A has a relatively higher grouse population than Zone B. The hunting pressure at this time of year is typically not intense and this extension would offer additional hunting opportunities to grouse hunters. These additional hunting opportunities will not negatively impact the ruffed grouse population in the current Zone A.



Current ruffed grouse zones



Proposed ruffed grouse zones with season changes

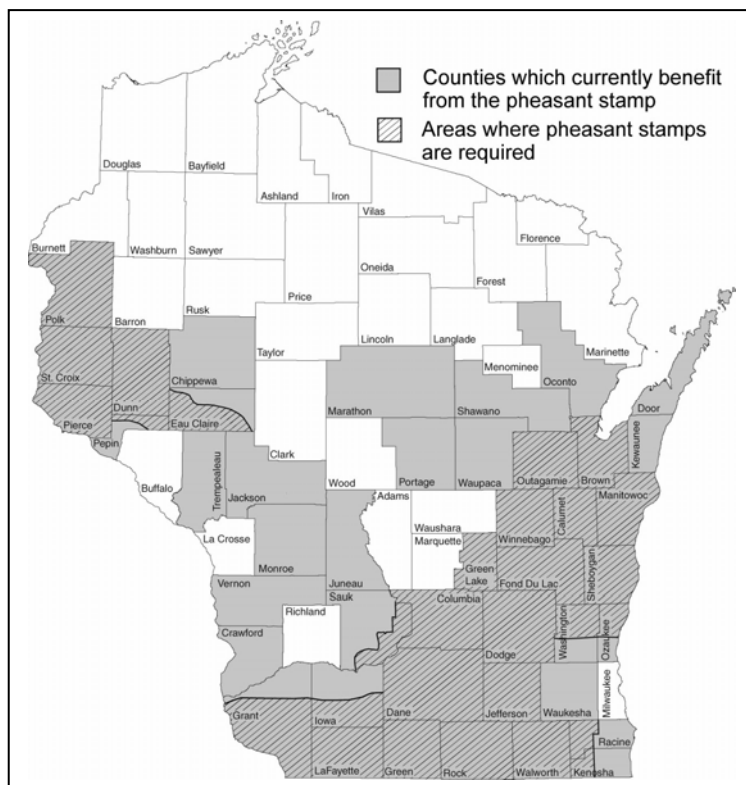
- Do you support changing the closing date of the ruffed grouse season in Zone A from December 31 to January 31, so it is the same season as currently in Zone B?

1. YES \_\_\_\_ NO \_\_\_\_

## Question 2: Pheasant Stamp (2007)

The pheasant stamp was created in 1991 to fund pheasant restoration and management. Specifically the department was directed by state statute to use the revenues generated by the sale of the stamp for “developing, managing, preserving, restoring and maintaining the wild pheasant population in the state.” To define areas where these funds were primarily utilized, the department created the Pheasant Management Zone (PMZ). The PMZ included counties or portions of counties with a healthy wild pheasant population. To be fair, a pheasant stamp was only required for those hunters who hunted pheasants within the PMZ.

However, as a result of 2005 Wisconsin Act 25 (The 2005 State Budget Bill), a majority of pheasant stamp revenue (60%) is now allocated toward pheasant rearing and stocking for public hunting grounds and day old chick clubs. This now benefits pheasant hunters across Wisconsin. Currently, 44 counties benefit from pheasant stamp revenues by way of the state game farm day-old chick program, stocking of public hunting grounds with game farm pheasants, or through wild pheasant habitat projects. As a result, the department recommends that all pheasant hunters in the state be required to purchase the pheasant stamp (\$10) in addition to their small game license to hunt pheasants in Wisconsin. Without this change, pheasant hunters in the current PMZ will bear the burden of paying for pheasant stocking in counties across the state.



- **Do you support requiring all pheasant hunters to purchase the pheasant stamp in order to legally hunt pheasants in Wisconsin?**

2. YES \_\_\_\_ NO \_\_\_\_

**Question 3: Fall Turkey Hunting Season Dates (2007)**

Currently, the Fall Turkey Hunting Season begins on October 1<sup>st</sup> and continues for 40 consecutive days. This proposal would change the season to run the Saturday nearest September 15<sup>th</sup> and continues through the Thursday immediately prior to the opening of the 9-day gun deer season. This change will create more hunting opportunities for fall turkey hunters and is not expected to negatively impact the turkey population.

- **Do you support changing the fall wild turkey hunting season from October 1-November 10 to the Saturday nearest September 15<sup>th</sup> and continuing through the Thursday immediately prior to the opening of the 9-day gun deer season?**

**3. YES \_\_\_\_ NO \_\_\_\_**

**Question 4: Spring Turkey Hunting Hours (2007)**

In 1999, spring turkey hunting hours were extended from noon to 5 p.m. The addition of five hours of hunting has not resulted in an increase in hunter success rate over the past five years. Similarly, it is not anticipated that evening hunting would have a dramatic impact on harvest rates, but would allow some hunters time to hunt after work or school. Currently, department experts feel that the biological necessity for an earlier close is no longer needed.

- **Do you support extending the ending of the spring wild turkey hunting hours from 5 p.m. to sunset?**

**4. YES \_\_\_\_ NO \_\_\_\_**

**Question 5: Youth Turkey Hunt (2007)**

Wisconsin has two special youth hunt programs, a youth waterfowl hunt and a youth deer hunt. In order to participate in these programs, a youth must be between the ages of 12 and 16, have successfully completed hunter education, and be accompanied by an adult. These programs help youth learn about ethical hunting practices and help young people become a part of Wisconsin's great hunting tradition.

This proposal would create a youth turkey hunt. The turkey population in Wisconsin has expanded throughout its range and is robust enough to accommodate a youth hunt without being negatively impacted. The 2-day hunt would occur on the weekend prior to the opening of the regular spring turkey season and would be open for all youths between the ages of 12 and 16, who have successfully completed hunter education and are accompanied by an adult. All other turkey hunter regulations apply, including possessing the appropriate license and permit. Youth participants will be required to possess a turkey license, stamp, and carcass tag for the regular season. They are limited to hunting in the turkey zone in which they hold a permit and are limited to harvesting one male or bearded turkey. If they are unsuccessful during the 2-day youth hunt they could hunt during the period for which the permit was issued.

- **Do you support the creation of a 2-day youth turkey hunt on the weekend before the regular spring turkey season begins?**

**5. YES \_\_\_\_ NO \_\_\_\_**

**Question 6: Turkey Carcass Tag Issuance (2007)**

Every year, a drawing is done to determine who receives a spring or fall turkey permit/carcass tag. In the past, a second drawing was conducted to determine who received any remaining tags as a second turkey carcass tag. Due to changes brought about by the State Budget Bill, we will now be selling over the counter any turkey carcass tags remaining after the drawing.

This proposal will determine the procedure for distribution and issuance of any unissued/left over tags. We propose to make all tags that are not issued through the drawing be available on a first come, first served basis through over-the-counter sales at a rate of one per person per day. There will be no limit to the total number of permits one person can purchase. By offering to sell additional turkey permits at this rate, we will offer hunting opportunities to more people, while still ensuring that the all permits/carcass tags are fully utilized.

- **Do you support issuing left over turkey permits/carcass tags over-the-counter at a rate of one per customer per day?**

**6. YES \_\_\_\_\_ NO \_\_\_\_\_**

**Question 7: Minimum Age for the Youth Learn to Hunt Program (2007)**

Current Department of Natural Resources (DNR) policy is to allow children ages 10 and over to participate in special learn to hunt programs. This authority comes from s. 29.197, Wis. Stats. However, current DNR policy is not consistent with ch. NR 19 Wis. Adm. Code rule language. This proposal would make the Administrative code language consistent with department policy by changing the minimum age for youth learn to hunt programs from 11 to 10.

- **Do you support changing the minimum age of the Youth Learn to Hunt Program from age 11 to age 10?**

**7. YES \_\_\_\_\_ NO \_\_\_\_\_**

**Question 8 & 9: Possession of Electronic Calling Equipment for Turkey and Waterfowl Hunting (2007)**

Currently it is illegal to use electronic calling equipment for hunting turkey and waterfowl. However, simply possessing one of these devices does not constitute a violation. Development of small hand held digitally recorded game callers; these devices are now readily available and easily concealed. If this rule is to be meaningful, there should be no reason for a person to have an electronic calling device in their possession allowing it to be used when they are unobserved. This rule would ban the use and possession of electronic calling devices for waterfowl and turkey hunting. This rule would still allow these devices in non-hunting situations, such as photography.

- **Do you support a ban on possessing electronic turkey calling equipment while turkey hunting?**

**8. YES \_\_\_\_\_ NO \_\_\_\_\_**

- **Do you support a ban on possessing electronic waterfowl calling equipment while waterfowl hunting?**

**9. YES \_\_\_\_\_ NO \_\_\_\_\_**

**Question 10: Body-gripping Type Traps (2007-'08 Trapping Season)**

This rule would clearly define the size of body-gripping type traps that are allowed on dryland. It will require special considerations focused at reducing incidental take of domestic animals (e.g. dogs). Although the current rule almost eliminated incidental take for nearly four years, recent innovative modifications by a trap manufacturer and numerous individual trappers have resulted in an increase in incidental take of domestic animals. Additionally, non-target animals, such as dogs, can be put in jeopardy by those who abide by the legal square inch requirement but then create long narrow body-gripper traps that stray from the intent of regulations. This situation can be avoided by creating a maximum allowable vertical height of 7 ½ inches for body-gripper type traps that are less than or equal to 60 square inches.

A common problem associated with regulating body-gripping type traps has been how to effectively describe differences among traps without using manufacturer names. With the recent advent of personal modifications to manufactured traps previous methods of description no longer work. This rule would describe body-gripping type traps by using square inches (figure 1), would limit the size of these traps when used on dry land, and would limit maximum allowable vertical height of a trap (figure 2).

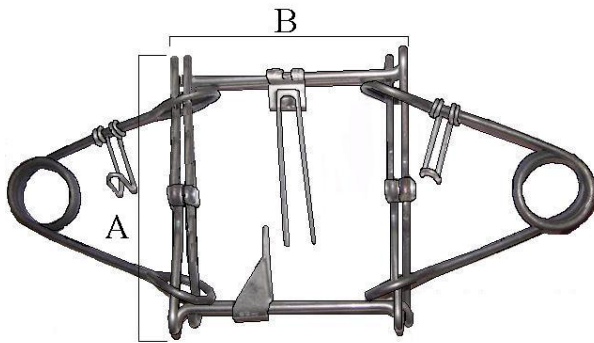


Figure 1. Multiply the height of the trap jaws (A) by the width of the trap jaws (B) to determine the square inches of the unset trap. Body-gripping type trap designs vary. This is an example of how to determine the square inches for this specific type of body-gripping trap.

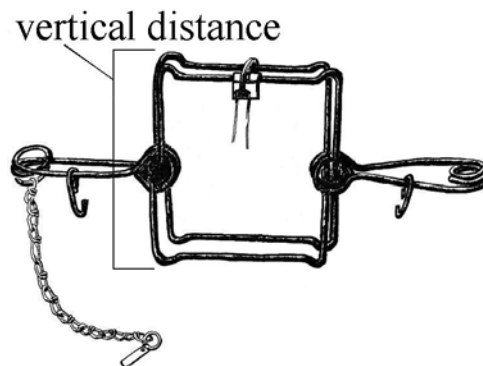


Figure 2. An example of how to measure the legal vertical distance of a trap when set.

Body-Gripping Trap Size	Dry Land	Water
Less than or equal to 60 square inches	Legal	Legal
Between 60 and 75 square inches	Legal if enclosed or higher than 5 feet off the ground	Legal
75 square inches or greater	NOT legal	Legal

Figure 3. Legal sizes for body gripping type traps on dry land and for use as water sets.

**The question appears on the following page.**

- **Do you support making body-gripping traps that are 75 square inches or greater in size illegal on dry land, making traps between 60 and 75 square inches legal only when half of the trap is below water at all times, at least 5 feet off the ground, or properly enclosed, and creating a maximum allowable vertical height of 7 ½ inches for body-gripping traps that are less than or equal to 60 square inches?**

10. YES\_\_\_\_ NO\_\_\_\_

*Note: The current regulations in place for large body gripping-type traps used on dry land would remain unchanged:*

- *Properly enclosed for a baited and/or scented set in or on the ground is one where the trap trigger is within an enclosure that provides openings no greater than 50 square inches for a 7 inch minimum recess; 8 inch height x 10 inch width opening with a 10 inch minimum recess from the enclosure openings.*
- *Properly enclosed for an unbaited and/or unscented trail set in or on the ground is one where the trap is within an enclosure that provides openings no greater than 10 inches in height and 10 inches in width and is recessed a minimum of 15 inches from the enclosure openings; or as a bottom entry enclosure set unless the entire opening of the enclosure is no more than 7 inches above the surface.*

**Question 11: Bear License Purchase Deadline (2007)**

In 2004, the deadline for successful bear applicants to purchase their permit/license was extended from April 1 to August 1. In 2004, approximately 200 successful applicants failed to purchase their permit/license by the August 1<sup>st</sup> date. Because this was a newly established deadline, the department chose to allow sales to continue after that date. In 2005, over 500 successful applicants failed to pay the fee for their Class A bear licenses by August 1<sup>st</sup> (about 10% of the allotted tag quota). Again the department chose to allow sales to continue, but only at DNR Service Centers and only through the day before the season opened. When the season opened in 2005, approximately 235 successful applicants had still not purchased their Class A bear license.

The primary reason for having a purchase date prior to the season is for enforcement purposes. The main concern is individuals not purchasing the license until after they have killed a bear. Currently, archery deer hunters may purchase an archery license during the open season, but it is not valid for deer hunting until 3 days after the date of purchase. This rule proposal is to apply the same rules on Class A bear license effective dates as the statutes currently apply to archery deer hunting licenses.

- **Do you support allowing Class A bear licenses to be purchased up to the day prior to the bear season, and allowing the purchase of a Class A bear license during the bear season, provided the license is not effective until three days after the date of purchase?**

11. YES\_\_\_\_ NO\_\_\_\_

## PROPOSED LOCAL WILDLIFE MANAGEMENT RULE CHANGES KEWAUNEE COUNTY

### Question 12: Rifles in Kewaunee County (2007)

State law prohibits the use of rifles for deer hunting in Kewaunee County; therefore hunters in Kewaunee County are restricted to the use of shotguns, handguns, and muzzleloaders to harvest deer during the gun deer seasons. There are no biological or safety reasons for the current restriction.

Kewaunee County has been over its deer population goal for the past several years and there is potential for a greater harvest by allowing the use of rifles. This proposal would allow the use of rifles in Kewaunee County during the gun deer season.

The Conservation Congress asked this question on their portion of the questionnaire during the 2005 Spring Hearing to gauge public support. This proposal passed in 2005 and as a result the department has forwarded this proposal as an official rule change this year.

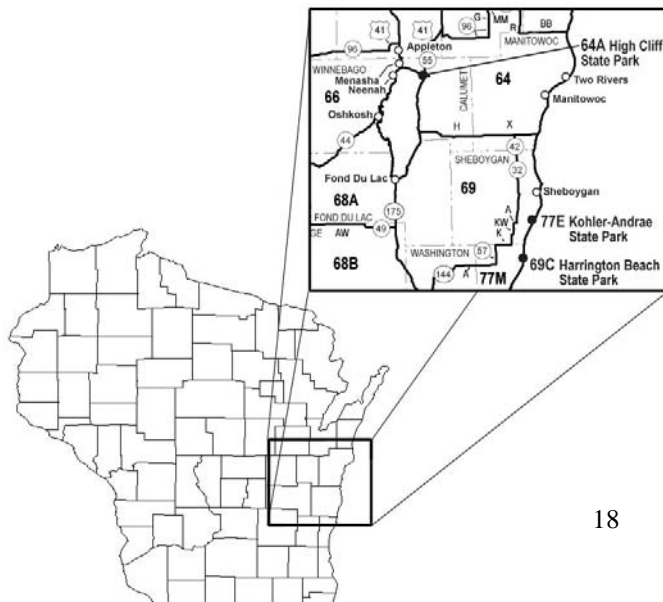
- **Do support allowing the use of rifles in Kewaunee County during the gun deer season?**

12. YES \_\_\_\_ NO \_\_\_\_

## PROPOSED LOCAL WILDLIFE MANAGEMENT RULE CHANGES CALUMET COUNTY

### Question 13: High Cliff State Park Deer Hunt (2007)

This proposal would create a shotgun deer gun season, from the Saturday immediately preceding Thanksgiving and continuing for 9 consecutive days, followed by a muzzleloader season starting on the following Monday and continuing for 10 consecutive days at High Cliff State Park. In addition to these gun hunting opportunities, a late archery season beginning on the Monday immediately following the 9-day deer gun season and continuing through the end of the statewide late archery season (currently January 3) is also included in this proposal. This would be a limited access deer hunt, deer hunting would be limited to those hunters possessing an access permit for the park. Currently, Council Grounds State Park holds a similar deer season.



- **Do you support allowing a limited entry nine-day shotgun deer gun season, followed by a ten-day muzzleloader season and a late season archery hunt at High Cliff State Park?**

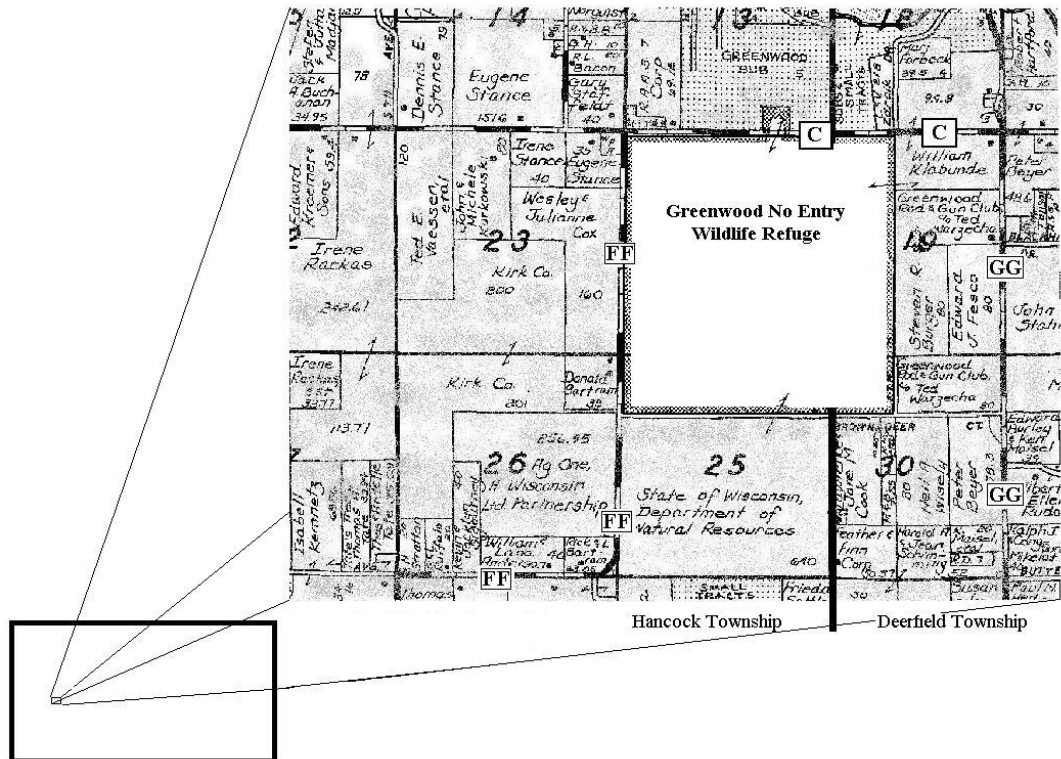
13. YES \_\_\_\_ NO \_\_\_\_

# PROPOSED LOCAL WILDLIFE MANAGEMENT RULE CHANGES WAUSHARA COUNTY

## Question 14: Eliminate Greenwood No Entry Wildlife Refuge (2007)

In the past, this refuge was utilized by geese that roosted on nearby lakes and Mekan Springs. Therefore, the Greenwood No Entry Wildlife Refuge was created and the area was farmed to provide forage for geese. Utilization of this area by geese has since declined and what was once farmed for goose forage has now been restored to native prairie.

This area is approximately 840 acres. This proposal would open this land up to year round hunting and other recreational opportunities.



➤ Do you support the elimination of the Greenwood No Entry Wildlife Refuge?

14. YES \_\_\_\_\_ NO \_\_\_\_\_

<p style="text-align: center;"><b>DEPARTMENT ADVISORY QUESTIONS</b></p>
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**Question 14:** Placement of Waterfowl Blinds on State-Owned Lands

*(Note: This question is a statutory change, which would require legislation.)*

Currently, hunters are allowed to place permanent waterfowl blinds on state-owned lands 7 days before the migratory bird season. State-owned lands do include the bed of any navigable lake. While blind placement and use on state-owned lands works on a first come, first served basis, placement of waterfowl blinds creates a sense of ownership by those who have placed the blind. This creates a potential for conflict among waterfowl hunters. Also, not everyone completely removes his/her waterfowl blind from the property, marsh, lake, or other water body that it was placed on. This leaves litter, including items such as boards and nails, in lakes, marshes or public lands, posing hazards to other people who use these areas to recreate. Aside from injuries to wildlife, pets, and humans due to nails and other debris, blinds left frozen in lakes can be hazardous to snowmobilers.

This proposal would prohibit the use of waterfowl blinds that are not removed daily on state-owned lands. The proposed regulations are similar to what is currently in place for tree stands placed on DNR lands. For hunting species other than waterfowl, it is illegal to build or use a ground blind or any elevated device on lands owned or under the control of the DNR unless it does not damage the tree and it is completely removed from the property each day at the close of hunting hours.

- **Do you support legislation prohibiting the placement of waterfowl blinds on state-owned lands unless completely removed from the state property each day at the close of hunting hours?**

15. YES \_\_\_\_ NO \_\_\_\_

**Questions 16, 17, & 18: Migratory Game Bird Hunting Zones- Federal Options (2006)**

The US Fish and Wildlife Service (USFWS) regulates season options the states must use for duck hunting regulations. The USFWS has established 3 different options for dividing a state geographically by zones and “splitting” the season into different time periods. Every 5 years, states must choose the option they will use for the next 5-year period. No changes are allowed during the 5 years. These “zone/split” options include:

- 1) One statewide zone with an opportunity to annually select 2 splits.
- 2) Establish 2 zones within the state with an opportunity to annually select 1 split in each zone. Note: This is the option Wisconsin is currently using.
- 3) Establish 3 zones within the state with no opportunity to select an annual split. Note: Each zone must be continuous (not broken).

The Department of Natural Resources must select one of these three duck season options for the next 5 seasons (2006-2010). We would like your opinion on each of the 3 options offered.

- **Do you support One statewide zone selected for a 5-year period with an opportunity to select 2 season split periods annually?**

16. YES\_\_\_\_ NO\_\_\_\_

- **Do you support 2 zones within the state selected for a 5-year period with an opportunity to select 1 season split period annually in each zone?**

17. YES\_\_\_\_ NO\_\_\_\_

- **Do you support 3 zones within the state selected for a 5-year period with NO opportunity for an annual split season?**

18. YES\_\_\_\_ NO\_\_\_\_

**Question 19: Migratory Game Bird Hunting Zones (2006)**

From 1990-1995, the zone line separating a north and south duck hunting zone line was primarily along Hwy 10. In 1996 the line was changed based on public input and much of the northwestern (Burnett, Polk, Barron etc.) part of the state was placed in the southern zone (Figure 1.). Most public input the last few years regarding waterfowl hunting zones has been to maintain 2 zones but return the line between the north and south zones to a more central position across the state. In February, 2004 the Conservation Congress sponsored an ad hoc committee meeting of several waterfowl groups and developed a proposed new line (Option B). The Department submitted a line very similar to the ad hoc committee's except for parts of St. Croix, Dunn, Pierce and Eau Claire counties where changes in habitat supported this slightly different line (Option A). The differences between these two options are identified by the circles below. These 2 options have been discussed at several public waterfowl meetings over the last year.

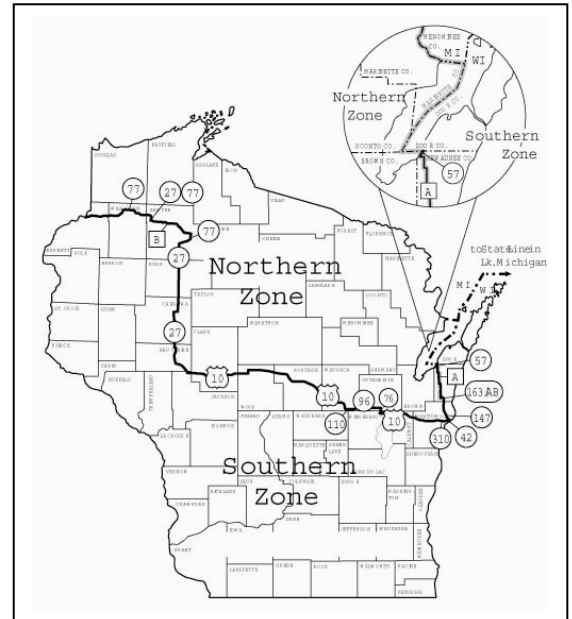
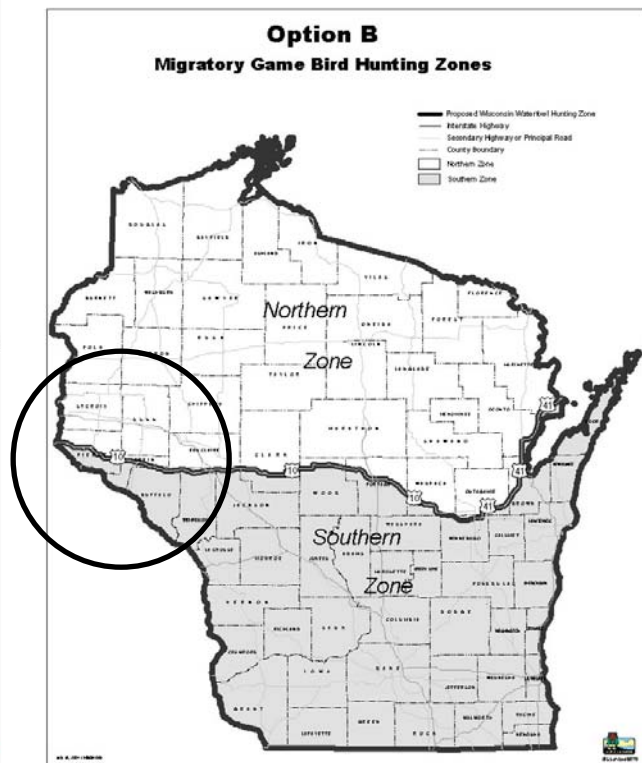
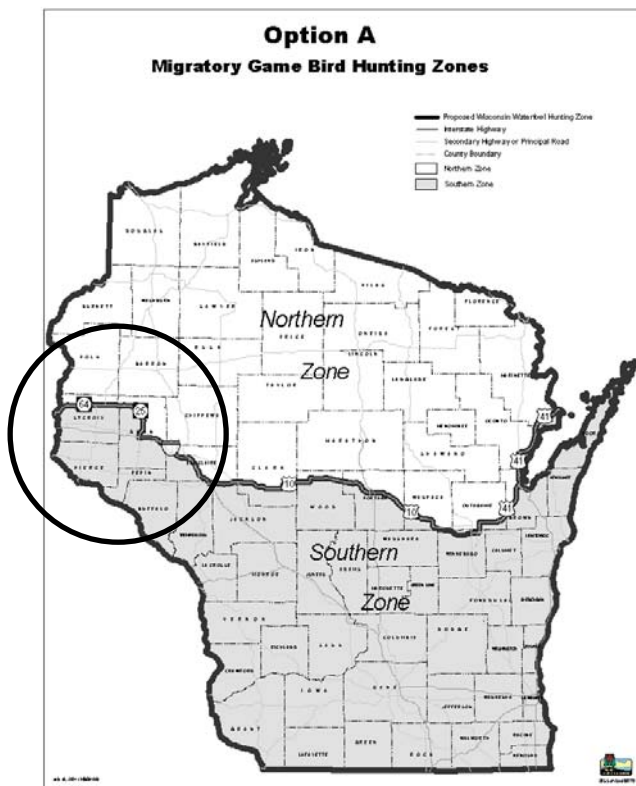


Figure 1. Current North/South Waterfowl Zone Boundary.



**This is a 2 page question.**

**Question 19 (*continued from previous page*):** Migratory Game Bird Hunting Zones (2006)

**NOTE:** Unlike other questions on this questionnaire, this question is **NOT** YES or NO. Rather, we ask that you mark the following on the white ballots: Yes for Option **A** (Yes) or No for Option **B** (No) as shown on the maps.

➤ **Do you support option A or option B as shown on the maps?**

19. A\_\_\_\_\_ B\_\_\_\_\_

## NATURAL RESOURCES BOARD ADVISORY QUESTION

### **Question 20: Baiting and Feeding of Deer**

Placing feed results in deer feeding at night which leads to less deer movement during open hunting hours, during the deer hunting season. Additionally, deer feeding concentrates deer on private land creating deer sanctuaries, which reduces the numbers of deer available to hunters on nearby public and private lands.

The Natural Resources Board has adopted rules that suspend the October 4-day antlerless Zone T hunt for two years. The elimination of the October hunt is conditional upon the adequate harvest of deer. Without the October hunt, deer herd control must take place during the regular 9-day gun deer season and a 4-day December antlerless hunt.

The Board feels banning deer baiting and feeding in counties where it is currently allowed, 10 days before and during the 9 day gun deer season, will encourage deer movement during shooting hours and more even distribution of deer available to deer hunters. This recommendation was supported at 10 hearings held around the state in the fall of 2005. Based upon this support, the Board has advanced this question to the Spring Hearings to get an increased amount of public feedback.

- **Would you support legislation to authorize banning deer baiting and feeding statewide 10 days before and during the 9-day gun deer season, and that such a proposal be submitted to the State Legislature for their passage in time for the 2006 deer season?**

**20. Yes\_\_\_\_\_ No\_\_\_\_\_**

ORDER OF THE STATE OF WISCONSIN NATURAL RESOURCES BOARD REPEALING,  
RENUMBERING AND AMENDING, AMENDING, REPEALING AND RECREATING AND  
CREATING RULES

The Wisconsin Natural Resources Board proposes an order to repeal ss. NR 10.01(2)(a)3., 10.25(1)(f)2.a. to c., 10.34 and 15.02(5); renumber and amend ss. NR 10.25(1)(f)2.b.; amend ss. NR 10.001(25k), 10.01(2)(a)1. and 2., (f)2., (3)(e)1.b., 2.e. and (em)4.c., 10.06(7), 10.102(4), 10.12(1)(e), 10.13(1)(b)6., 8.a. and b., 11. and 12.(intro.), 10.25(1)(d), (e), (f)1.(title), 2.(title) and (intro.), and (g)1. and 3., 17.04(2)(a), and 19.025(2)(d); repeal and recreate NR 10.25(4)(b), 10.28(1), and 10.33; and creating NR 10.01(2)(f)4.(intro.), a. and b., 10.13(1)(b)8.c., and 10.102(4m) relating to deer and turkey hunting, hunting and trapping techniques, permit and license issuance, dog training, and learn to hunt programs.

WM-01-06

**Analysis Prepared by the Department of Natural Resources**

**Statutes Interpreted and Explanation of Agency Authority:** The department has interpreted the following statutes as providing the authority to promulgate rules regarding hunting and trapping, use of state owned lands and license issuance: ss. 23.09(2)(b), 29.014, 29.089(3), 29.091, 29.164(4)(b), 29.184(6), and 29.197(2), Stats.

**Statutory Authority and Explanation of Agency Authority:** Statutes that authorize the promulgation of these rules include, ss. 23.09(2)(b), 29.014, 29.089(3), 29.091, 29.164(4)(b), 29.184(6), and 29.197(2), Stats. These statutes specifically provide the department with the authority to manage refuge areas for wildlife, promulgate rules regarding management of wildlife through the establishment of hunting seasons, management zones and regulations regarding the techniques by which game animals and game birds may be harvested. These statutes also provide authority to regulate the issuance of permits and licenses, as well as establishing conditions regarding the use of state lands such as state parks, public recreation areas and hunting grounds. All rules promulgated under this authority are subject to review under ch. 227, Stats.

**Related Statute or Rule:** As part of the 2005 state budget (2005 Wisconsin Act 25), the department was granted the authority to promulgate emergency rules regarding the issuance of turkey permits which remained after the initial permit drawing. Act 25 allowed the department to operate under emergency rule authority until permanent rules were promulgated. This rule package includes permanent rules that would replace emergency rule currently in effect. Outside of the emergency rules on the issuance of turkey permits, there are no rules or statutes currently under promulgation that relate to the provisions that are proposed in the administrative rule order.

**Plain Language Analysis:** The department has recommended modification to chapters NR 10, 15, 17 and 19, Wis. Adm. Code, relating to hunting, trapping, permit and license issuance, agricultural damage, dog training and use of public lands. These rule changes are proposed for inclusion on the 2005 Spring Hearing questionnaire. Specifically, these proposals:

- Extend the closing date of the ruffed grouse season in Zone A from December 31 to January 31, thereby consolidating ruffed grouse hunting zones from 3 to 2.
- Expand the fall wild turkey hunting season from October 1- November 10 to the Saturday nearest September 15<sup>th</sup> and continuing through the Thursday immediately prior to the

- opening of the deer gun season.
- Create a 2-day youth turkey hunt on the weekend before the regular spring turkey season begins.
- Extend the ending of the spring wild turkey hunting hours from 5 p.m. to sunset.
- Prohibit possession of electronic turkey calling equipment while turkey hunting, and prohibit possession of electronic waterfowl calling equipment while waterfowl hunting.
- Create consistent standards for body-gripping type traps, where traps 75 square inches or larger would be illegal as dry land sets, traps between 60 and 75 square inches would be legal only when half of the trap is below water at all times, or when at least 5 feet off the ground, or when properly enclosed, and creating a maximum allowable height dimension of 7 ½ inches for body-gripping traps.
- Issue turkey permits/carcass tags remaining after the initial special permit drawing over-the-counter at a rate of one permit/tag per customer per day.
- Change the “no dog training” period from April 15- July 31 to April 1-July 31.
- Change the minimum age of the Youth Learn to Hunt Program from age 11 to age 10 to be consistent with current department policy.
- Allow Class A bear licenses to be purchased up to the day prior to the bear season, and allow the purchase of a Class A bear license during the bear season, provided the license is not effective until three days after the date of purchase.
- Allow the use of rifles in Kewaunee County during the gun deer season.
- Create a limited entry nine-day shotgun deer gun season, followed by a ten-day muzzleloader season at High Cliff State Park.
- Eliminate the Greenwood “No Entry Wildlife Refuge” in Waushara County.
- Require a pheasant stamp statewide for anyone who wishes to hunt pheasants.

**Summary of, and Comparison with, Existing or Proposed Federal Regulations:** Federal regulations allow states to manage the wildlife resources located within their boundaries provided they do not conflict with regulations established in the Federal Register. None of these rule changes violate or conflict with the provisions established in the Federal Code of Regulations.

**Comparison with Rules in Adjacent States:** These rule changes do not represent policy or significant rule changes that may differ from surrounding states. All surrounding states have regulations and rules in place for the management and recreational use of wild big game, upland, migratory and furbearer species that are established based on needs which often are unique to that state’s resources or public desires. Regarding ruffed grouse seasons, in Minnesota their season runs from Sept. 18 – Dec. 31 statewide, in Michigan the ruffed grouse season extends from Sept. 15 – Nov. 14 and Dec. 1 – January 1.

Illinois, Michigan, Minnesota and Iowa all offer turkey hunting seasons. Hunting hours for spring turkey hunting in Illinois end at 1 pm, Iowa closes at sunset, Michigan closes ½ hour before sunset, and Minnesota closes at 5 pm. The fall turkey hunting season in Michigan is October 3 - November 14. In Minnesota the fall season is split into two seasons. The first extends from October 11 through October 15 and a second season October 18 – 22. In Iowa, firearms are allowed for fall turkey hunting from Oct. 10 to Dec. 2 and an archery season Oct. 1 - Dec. 2 and Dec. 19 - Jan. 10. Illinois also has weapon specific season dates, shotguns are allowed October 22 – 30, and archery is offered October 1 - January 12. All four states also prohibit the use of electronic calling devices for turkey hunting, and Michigan also prohibit possession while hunting turkeys.

In regard to youth turkey hunting opportunities, neither Michigan nor Minnesota offer special youth turkey hunting opportunities. However, Iowa offered its first youth turkey hunt in 2005, a 3-day hunt held April 8-10 (immediately preceding the regular season) for 12-15 year olds. They sell a youth license for \$23 that is valid statewide. Hunter education is required and the youth must be under direct supervision of an accompanying adult. Illinois offers regional youth turkey hunting opportunities. In the Northern zone the season is offered April 2 – 3 and the Southern zone it is offered March 26 – 27. These seasons are 8 days prior to the opening of the regular season. These hunts are for resident youths ages 12 – 15 year old.

In regard to trap requirements, Illinois requires that only conibear traps equal to or less than 7 inches on a side if square or 8 inches if round are allowed on dryland, with no efforts to further reduce incidental take of domestics. In Michigan it's illegal to use conibear traps with a greater than 6 inch spread on public lands or commercial forest lands for dryland sets unless the trap is 4 feet or more above the ground or placed in a box or other container that would make it inaccessible to dogs. Minnesota requires that any conibear trap with a jaw spread greater than 7 ½ inches must be as a waterset (their definition of waterset is at least 50% or more underwater). They further regulate any conibear trap greater than 6 ½ inch jaw spread cannot be set within 3 feet of a culvert unless it's totally submersed.

Other states regulations regarding the issuance of turkey permits, Illinois conducts a variety of lotteries for available turkey permits. Iowa allows over the counter sales of turkey permits for residents, but requires non-residents to enter a drawing for allocated non-resident turkey hunting permits. Minnesota utilizes a preference point drawing for permits similar to Wisconsin's current permit issuance system. Michigan's permit issuance procedures are similar to Wisconsin's where initial permits are issued via a preference point drawing with remaining permits made available at a first-come, first-served basis. However, no hunter may obtain more than one turkey permit per season.

**Summary of Factual Data and Analytical Methodologies:** A majority of the rule changes included in this order do not deviate from current Department policy on the management of wildlife, hunting and trapping. The deer season proposed for High Cliff State Park is consistent with the seasons established at other parks where hunting is feasible and practical. Deer hunting has and continues to be an effective tool for managing deer populations in our state parks. It also allows for increased use and recreational opportunities for hunters in these parks.

Currently, the ruffed grouse season in Zone A begins on the Saturday nearest September 15<sup>th</sup> and continues through December 31<sup>st</sup>. This rule change would lengthen the ruffed grouse season in Zone A so that it would end on January 31<sup>st</sup>, which would create a season identical to Zone B. Essentially, Zones A & B would be combined, creating two ruffed grouse zones for the state.

Zone A has a relatively higher grouse population than Zone B. The hunting pressure at this time of year is typically not intense and this extension would offer additional hunting opportunities to grouse hunters and simplify the rules by reducing the number of different zones and seasons. These additional hunting opportunities will not negatively impact the ruffed grouse population in the current Zone A.

Currently, the Fall Turkey Hunting Season begins on October 1<sup>st</sup> and continues for 40 consecutive days. This proposal would change the season to run concurrently with the early archery season, which begins on the Saturday nearest September 15<sup>th</sup> and continues through the Thursday immediately prior to the opening of the deer gun season. This change will create

more hunting opportunities for fall turkey hunters and is not expected to negatively impact the turkey population.

Wisconsin has two special youth hunt programs, a youth waterfowl hunt and a youth deer hunt. In order to participate in these programs, a youth must be between the ages of 12 and 16, have successfully completed hunter's education, and be accompanied by an adult. These programs help Wisconsin's youth learn about ethical hunting practices and help young people become a part of Wisconsin's great hunting tradition.

This proposal would create a youth turkey hunt. The turkey population in Wisconsin has expanded throughout its range and is robust enough to accommodate a youth hunt without being negatively impacted. The 2-day hunt would occur on the weekend prior to the opening of the regular spring turkey season and would be open for all youths between the ages of 12 and 16, who have successfully completed hunter's education and are accompanied by an adult. All other turkey hunter regulations apply, including possessing the appropriate license and permit. Youth participants will be required to possess a turkey license, stamp, and carcass tag for the zone in which they hunt. Also, youth hunters would be limited to harvesting one male or bearded turkey during the two day youth hunt. If they are unsuccessful during the 2-day youth hunt they may still hunt in that zone during the period for which the permit was issued.

In 1999, spring turkey hunting hours were extended from noon to 5 p.m. The addition of five hours of hunting has not resulted in an increase in hunter success rate over the past five years. Similarly, it is not anticipated that evening hunting would have a dramatic impact on harvest rates, but would allow some hunters time to hunt after work or school. Currently, department experts feel that the biological necessity for an earlier close is no longer needed.

Currently it is illegal to use electronic calling equipment for hunting turkey and waterfowl; however simply possessing one of these devices does not constitute a violation. With the development of small hand held digitally recorded game callers; these devices are now readily available and easily concealed. If this rule is to be meaningful, there should be no reason for a person to have an electronic calling device in their possession allowing it to be used when they are unobserved. This rule would expand the current ban the use of electronic calling devices to also ban the possession of such devices while waterfowl and turkey hunting. This rule would not prohibit these devices in non-hunting situations, such as photography.

This rule would clearly define the size of body-gripping type traps that are allowed on dryland. It will require special considerations focused at reducing incidental take of domestic animals (e.g. dogs). Although the current rule almost eliminated incidental take for nearly four years, recent innovative modifications by a trap manufacturer and numerous individual trappers have resulted in an increase in incidental take of domestics. Additionally, non-target animals, such as dogs, can be put in jeopardy by those who abide by the legal square inch requirement but then create tall narrow body-gripper traps that stray from the intent of regulations. This situation can be avoided by creating a maximum allowable height of 7 ½ inches for body-gripper type traps.

A common problem associated with regulating body-gripping type traps has been how to effectively describe differences among traps without using manufacturer names. With the recent advent of personal modifications to manufactured traps, previous methods of description no longer work. This rule would describe body-gripping type traps by using square inches, would limit the size of these traps when used on dry land, and would limit maximum allowable vertical height dimension of a trap.

Every year, a drawing is done to determine who can be issued a spring or fall turkey license and carcass tag. In the past, a second drawing was conducted to determine who received any left over carcass tags. Due to changes brought about by the Governor's state budget package, we will now be selling all carcass tags left over after the drawing process over the counter. This proposal will make these left over carcass tags available on a first come, first served basis through over-the-counter sales at a rate of one per person per day. By offering to sell additional turkey carcass tags at this rate, we will offer hunting opportunities to more people, while still ensuring that the left over carcass tags are fully utilized.

Currently, on DNR lands open to hunting, dogs are required to be on a leash, no more than 8 feet in length from April 15 - July 31, except on established Class 1 and Class 2 dog training and trial grounds. The purpose of not allowing dogs to run free on department lands from April 15 through July 31 was to protect ground nesting birds during their breeding season. However, this date is actually too late to fully protect many birds during their breeding season. Therefore we are proposing to move the restriction date earlier, to April 1 to offer more protection to ground nesting birds.

The date change is also expected to reduce conflicts between people who are running their dogs, and spring turkey hunters during turkey hunting activities in early April. This proposal will lengthen the amount of time that department owned lands are closed to dog training by 2 weeks.

Current Department of Natural Resources (DNR) policy is to allow children ages 10 and over to participate in special learn to hunt programs. This authority comes from s. 29.197, Wis. Stats. However, current DNR policy is not consistent with ch. NR 19 Wis. Adm. Code rule language. This proposal would make the Administrative code language consistent with department policy by changing the minimum age for youth learn to hunt programs from 11 to 10.

In 2004, the deadline for successful bear applicants to purchase their permit/license was extended from April 1 to August 1. In 2004, approximately 200 successful applicants failed to purchase their permit/license by the August 1<sup>st</sup> date. Because this was a newly established deadline, the department chose to allow sales to continue after that date. In 2005, over 500 successful applicants failed to pay the fee for their Class A bear licenses by August 1<sup>st</sup> (about 10% of the allotted tag quota). Again the department chose to allow sales to continue, but only at DNR Service Centers and only through the day before the season opened. When the season opened in 2005, approximately 235 successful applicants had still not purchased their Class A bear license.

The primary reason for having a purchase date prior to the season is for enforcement purposes. The main concern is individuals not purchasing the license until after they have killed a bear. Currently, archery deer hunters may purchase an archery license during the open season, but it is not valid for deer hunting until 3 days after the date of purchase. This rule proposal is to apply the same rules on Class A bear license effective dates as the statutes currently apply to archery deer hunting licenses.

Administrative rules prohibit the use of rifles for deer hunting in Kewaunee County; therefore hunters in Kewaunee County are restricted to the use of shotguns, handguns, and muzzleloaders to harvest deer during the gun deer seasons. There are no biological or safety reasons for the current restriction. Kewaunee County has been over its deer population goal for the past several years and there is potential for a greater harvest by allowing the use of rifles. The Conservation Congress asked this question on their portion of the questionnaire during the 2005 Spring Hearing to gauge public support. As part of the 2005 Hearing process, 2,895

people voted in support and 1,896 people voted against this rule change proposal. This proposal would allow the use of rifles in Kewaunee County during the gun deer season.

This proposal would create a shotgun deer gun season, from the Saturday immediately preceding Thanksgiving and continuing for 9 consecutive days, followed by a muzzleloader season starting on the following Monday and continuing for 10 consecutive days at High Cliff State Park. This would allow the hunting of deer by those hunters possessing an access permit for the park. Currently, Council Grounds State Park holds a similar deer season.

The Greenwood No Entry Wildlife Refuge was created and the area was farmed to provide forage for geese. Utilization of this area by geese has since declined and what was once farmed for goose forage has now been restored to native prairie. This area is approximately 840 acres. This proposal would open this land up to year round hunting and other recreational opportunities.

The pheasant stamp was created in 1991 to fund pheasant restoration and management. Specifically the department was directed by state statute to use the revenues generated by the sale of the stamp for “developing, managing, preserving, restoring and maintaining the wild pheasant population in the state.” To define areas where these funds were primarily utilized, the department created the Pheasant Management Zone (PMZ). The PMZ included counties or portions of counties with a healthy wild pheasant population. Therefore, a pheasant stamp was only required by those hunters who hunted pheasants within the PMZ.

However, as a result of 2005 Wisconsin Act 25 (The 2005 State Budget), a portion of pheasant stamp revenue is now allocated toward pheasant rearing and stocking. This now benefits pheasant hunters even outside the PMZ. As a result, the department recommends that all pheasant hunters in the state be required to purchase the pheasant stamp in addition to their small game license to hunt pheasants in Wisconsin.

**Analysis and Supporting Documents Used to Determine Effect on Small Business or in Preparation of Economic Impact Report:** These rules, and the legislation which grants the department rule making authority, do not have a significant fiscal effect on the private sector or small businesses.

**Effects on Small Businesses:** These rules are applicable to individual sportspersons and impose no compliance or reporting requirements for small businesses, nor are any design or operational standards contained in the rule.

**Agency Contact Person:** Kurt Thiede, 101 S. Webster St., PO BOX 7921, Madison, WI 53707-7921. (608) 267-2452

**Deadline for Written Comments:** April 11, 2005.

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**Section 1. NR 10.001(21m) is created to read:**

**NR 10.001(21m)** “Pheasant management zone” means all counties in Wisconsin.

**Section 2. NR 10.001(25k) is amended to read:**

**NR 10.001 (25k)** "Steel jawed trap" means a trap, constructed of metal, designed to catch an animal by the foot, but does not include enclosed trigger traps or body gripping traps of the conibear type.

**Section 3. NR 10.01(2)(a)1. and 2. are amended to read:**

<i>Kind of animal and locality</i>	<b>Open season (all dates inclusive)</b>	<b>Limit</b>
<b>NR 10.01(2)(a)1.</b> Zone A as established under s. NR 10.33.	Beginning on the Saturday nearest September 15 and continuing through <del>December</del> <u>January 31.</u>	Daily bag 5; possession 10
<b>2.</b> Zone B as established under s. NR 10.33.	Beginning on the Saturday nearest <del>September 15</del> <u>October 17</u> and continuing through <del>January 31</del> <u>December 8.</u>	Daily bag <del>5</del> <u>2</u> ; possession <del>10</del> <u>4</u>

**Section 4. NR 10.01(2)(a)3. is repealed.**

**Section 5. NR 10.01(2)(c)8. is amended to read:**

<i>Kind of animal and locality</i>	<b>Open season (all dates inclusive)</b>	<b>Limit</b>
<b>NR 10.01(2)(c)8.</b> Pheasant stamp. No person may hunt pheasants in the pheasant management zones <del>established by s. NR 10.34</del> <u>defined in s. NR 10.001(21m).</u> , without a valid state pheasant stamp approval required under s. 29.191, Stats., unless the person is carrying a valid conservation patron license, senior citizen recreation card, free military small game license or first year hunter education certificate.		

**Section 6. NR 10.01(2)(f)2. is amended to read:**

<i>Kind of animal and locality</i>	<b>Open season (all dates inclusive)</b>	<b>Limit</b>
<b>NR 10.01(2)(f)2.</b> All wild turkey hunting zones as described in s. NR 10.29 and Mill Bluff state park portions of zones 9 and 13, excluding all other state parks, for which a quota has been established under s. NR 10.25 (5).	Fall season beginning on <del>October 1</del> <u>the Saturday nearest September 15 and continuing through the Thursday immediately preceding the Thanksgiving holiday.</u> <del>and continuing for 40 consecutive days</del>	Either sex of turkey may be killed. The possession limit corresponds to the number of carcass tags issued.

**Section 7. NR 10.01(2)(f)4. (intro.), a. and b. is created to read:**

**[Drafter's note: NR 10.01(2)(f)4. was repealed in Board Order WM-31-05 (CHR 05-102) making room for the creation of this subdivision.]**

<i>Kind of animal and locality</i>	<b>Open season (all dates inclusive)</b>	<b>Limit</b>
<p><b>NR 10.01(2)(f)4.</b> Youth turkey hunt. a. Persons under the age of 16 years of age who possess a certificate of accomplishment under s. 29.591, Stats., or its equivalent from another state or province, a valid carcass tag issued for the current license year, and all necessary ch. 29, Stats., approvals may hunt turkeys for 2 consecutive days starting on the Saturday immediately preceding the beginning of the spring turkey hunting season established in subd. 1. in the turkey management zone for which the carcass tag was issued. Only one male or bearded turkey may be killed and shall be tagged immediately with a valid carcass tag for that zone pursuant to s. NR 10.25(2). Hunters shall be accompanied by an adult 18 years of age or older. One adult may not accompany more than 2 hunters. All other spring turkey hunting regulations apply.</p> <p>b. A youth who does not successfully harvest a turkey during the 2 day youth hunt established in subd. 4.a. may use their unfilled carcass tag during the time period and in the zone for which the carcass tag was issued. A carcass tag that was used to tag a turkey during the 2 day youth hunt may not be reused pursuant to s. NR 10.25(2)(b)2. to harvest an additional turkey during the time period for which the carcass tag is valid.</p>		

**Section 8. NR 10.01(3)(e)1.b as repealed and recreated by CHR 05-086 is amended to read:**

<i>Kind of animal and locality</i>	<b>Open season (all dates inclusive)</b>	<b>Limit</b>
<p><b>NR 10.01(3)(e)1.b. In the counties or parts of counties and deer management units of Brown, Calumet, Dane, Dodge, Door (Detroit, Plum, Rock and Washington Islands only), Dunn (unit 59B portion), Fond du Lac, Green, Jefferson, Kenosha, Kewaunee, Lafayette, Manitowoc, Outagamie, Ozaukee, Pierce (unit 59B, 60A, 60B and 61 portions), Racine, Rock, St. Croix (unit 59B and 60B portions), Sheboygan, Shawano (south of highway 29), Trempealeau national wildlife refuge, Walworth, Washington, Waukesha, Waupaca and Winnebago.</b></p>	<p>Shotgun season beginning on the Saturday immediately preceding the Thanksgiving holiday and continuing for 9 consecutive days.</p> <p>4-day shotgun season beginning the second Thursday following the Thanksgiving holiday.</p>	<p>One buck deer and additional antlerless deer as authorized by antlerless deer permits issued under s. NR 10.104.</p> <p>One antlerless deer per antlerless deer permit issued under s. NR 10.104.</p>

**Section 9. NR 10.01(3)(e)2.e. as repealed and recreated by CHR 05-086 is amended to read:**

<i>Kind of animal and locality</i>	<b>Open season (all dates inclusive)</b>	<b>Limit</b>
<b><i>NR 10.01(3)(e)2.e. <u>Council Grounds state park (unit 52A) and High Cliff (unit 64A) state parks</u></i></b>	<b><i>Shotgun season beginning on the Saturday immediately preceding the Thanksgiving holiday and continuing for 9 consecutive days followed by a muzzle loading firearm season beginning on the following Monday and continuing for 10 consecutive days.</i></b>	<b><i>One buck deer and additional antlerless deer as authorized by antlerless deer permits issued under s. NR 10.104.</i></b>

**Section 10. NR 10.01(3)(em)4.c. as repealed and recreated by CHR-05-086 is amended to read:**

<i>Kind of animal and locality</i>	<i>Open season (all dates inclusive)</i>	<i>Limit</i>
<b><i>NR 10.01(3)(em)4.c. <u>The following state parks and trails: Elroy-Sparta, Council Grounds, Hartman Creek, High Cliff, Interstate, Kinnickinnic, Wildcat Mountain (unit 72A), Rib Mountain (unit 57D), Harrington Beach (unit 69C), Kohler-Andrae (77E), Willow River, Newport, Rock Island and Tuscobia-Park Falls.</u></i></b>	<b><i>During the late archery seasons described in subd. 1.</i></b>	<b><i>One buck and one antlerless deer as authorized by the appropriate carcass tag and additional antlerless deer as authorized by antlerless permits issued under s. NR 10.104.</i></b>

**Section 11. NR 10.06(7) is amended to read:**

**NR 10.06(7) WILD TURKEY HUNTING.** The hunting hours for pursuing wild turkeys shall be the same as the hours established in sub. (5) except that spring season hunting hours shall close at 5:00 p.m. sunset daily.

**Section 12. NR 10.102(4) is amended to read:**

**NR 10.102(4) FEES.** A successful applicant shall submit the appropriate license fee established by s. 29.563 (2) (a) 6. or 7. or (b) 4. or 5., Stats., to the department before receiving a Class A bear license. ~~The fees shall be submitted to a license vendor or department service center no later than August 1 each year.~~

**Section 13. NR 10.102(4m) is created to read:**

**NR 10.102(4m) EFFECTIVE DATE.** (a) *Licenses issued prior to the season.* Any Class A bear license issued prior to the opening date of the bear season established in s. NR

10.01(3)(g)2., shall be effective beginning on the opening date of the season specified in s. NR 10.01(3)(g)2.

(b) *Licenses issued during the season.* Except as provided in par. (c), a Class A bear license issued during the open season for hunting bear established in s. NR 10.01(3)(g)2., does not authorize hunting until the third day after the day the license is purchased.

(c) *Exception.* A Class A bear hunting license issued during the open season for hunting bear as established in s. NR 10.01(3)(g)2., authorizes bear hunting beginning the date of issuance if issued to a person who:

1. Is a member of the U.S. armed forces who exhibits proof that he or she is a in active service with the armed forces and that he or she is stationed in this state or is a resident on furlough or leave.

2. Turns 12 years of age during the open season for hunting bear.

**Section 14. NR 10.12(1)(e) is amended to read:**

**NR 10.12(1)(e) *Bird calls.*** By the use or aid of recorded or electrically amplified bird calls or sounds or imitations thereof, or while in possession of any type of device that produces recorded or electronic amplifications of bird calls or sounds.

**Section 15. NR 10.13(1)(b)6. is amended to read:**

**NR 10.13(1)(b)6.** 'Trap, snare, and cable restraint use.' Set, place, operate or possess while on or adjacent to waters of this state, any trap other than a steel jawed trap, live trap, body gripping trap ~~of the conibear type~~, snare other than that defined in s. NR 10.001 (25e) or cable restraint as defined in s. NR 10.001 (5g) for the purpose of taking, capturing, or killing furbearing animals. Live traps shall be constructed so that not more than one animal can be taken or captured in any single trap setting.

**Section 16. NR 10.13(1)(b) 8.a. and b. are amended to read:**

8. 'Body-gripping type traps.' a. Set, place, or operate any body-gripping type trap ~~of the conibear type larger than 7" x 7"~~ greater than 75 square inches measured from the maximum outside points on the width and height of the jaws of a trap that has not been set, unless one-half of the set trap is located underwater at all times.

b. Set, place or operate any ~~7" x 7"~~ body-gripping type traps, ~~220-conibear type, trap greater than 60 square inches or less than 75 square inches measured from the maximum outside points on the width and height of the jaws of a trap that has not been set;~~ as a water set unless one-half of the trap is located underwater at all times; as an elevated set unless the trap is placed at least 5 feet above the surface; as a baited and/or scented set in or on the ground unless the trap trigger is within an enclosure that provides openings no greater than 50 square inches for a 7 inch minimum recess; or a 8 inch height x 10 inch width opening with a 10 inch minimum recess from the enclosure openings; as an unbaited and/or unscented trail set in or on the ground unless the trap is within an enclosure that provides openings no greater than 10 inches in height and 10 inches in width and is recessed a minimum of 15 inches from the enclosure openings; or as a bottom entry enclosure set unless the entire opening of the enclosure is no more than 7 inches above the surface. The measurement to the surface is the distance to the first surface beneath the trap or opening, where the surface is ground, ice, crusted or packed snow or any other hard material. For the purposes of this paragraph, an enclosure means any device that creates a barrier to the trap allowing entry only through designated openings.

**Section 17. NR 10.13(1)(b)8.c. is created to read:**

**NR 10.13(1)(b)8.c.** Set, place, or operate any body gripping type trap less than or equal to 60 square inches with a vertical measurement of greater than 7 ½ inches when set. The vertical measurement is taken between the widest vertical points on the trap in the set position.

**Section 18. NR 10.13(1)(b)11. and 12.(intro.) are amended to read:**

**NR 10.13(1)(b)11.** ‘Minimum waterset.’ Except when the muskrat or mink season is open, no person may set, place or operate any waterset smaller than 5 1/2” jaw spread for steel jaw traps and 6 3/4” x 6 3/4” less than or equal to 60 square inches measured from the maximum outside points on the width and height of the jaws of a trap that has not been set, for killer body-gripping type traps of the conibear type.

12. ‘Trap placement.’ Set, place or operate any body-gripping type trap ~~of the conibear type~~ greater than 6” x 6”, 60 square inches or less than 75 square inches measured from the maximum outside points on the width and height of the jaws of a trap that has not been set, and any snare or cable restraint regardless of the size of the noose, in the following locations:

**Section 19. NR 10.25(1)(d), (e), (f)1. (title), and 2. (title) are amended to read:**

**NR 10.25(1) (d)** *Licensee selection procedures.* If the number of applications for licenses for a wild turkey hunting zone and time period exceeds the available quota of licenses, successful applicants shall be randomly selected in accordance with any statutorily established landowner preference system.

(e) *License purchase requirement.* ~~No~~ Except for persons who purchase a license in accordance with par. (f)2. b., no person may purchase a turkey hunting license without presenting the license vendor with the department-issued purchase authorization.

(f) *Carcass tag issuance.* 1.(title) ‘Oversubscribed zones and time periods.’ Each successful applicant for a turkey hunting license shall be issued a license and carcass tag by the department.

2.(title) ‘Undersubscribed zones and time periods.’ If the number of applications for licenses for a wild turkey hunting zone is less than the available quota of licenses, the department may: make available to any person the remaining carcass tags for the zone and time period for purchase on a first-come, first-served basis at a rate of one carcass tag per day per person.

**Section 20. NR 10.25(1)(f)2.a. to c. are repealed.**

**Section 21. NR 10.25(1)(g)1. and 3. are amended to read:**

**NR 10.25(1)(g)** *License and carcass tag restrictions.* 1. ~~License~~ Except for youths participating in the youth turkey hunt established in s. NR 10.01(2)(f)4., licenses and carcass tags issued under this section are only valid for the zone and time period indicated on the license carcass tag. Carcass tags used during the youth turkey hunt are valid only for the zone indicated on the carcass tag, but not the time period.

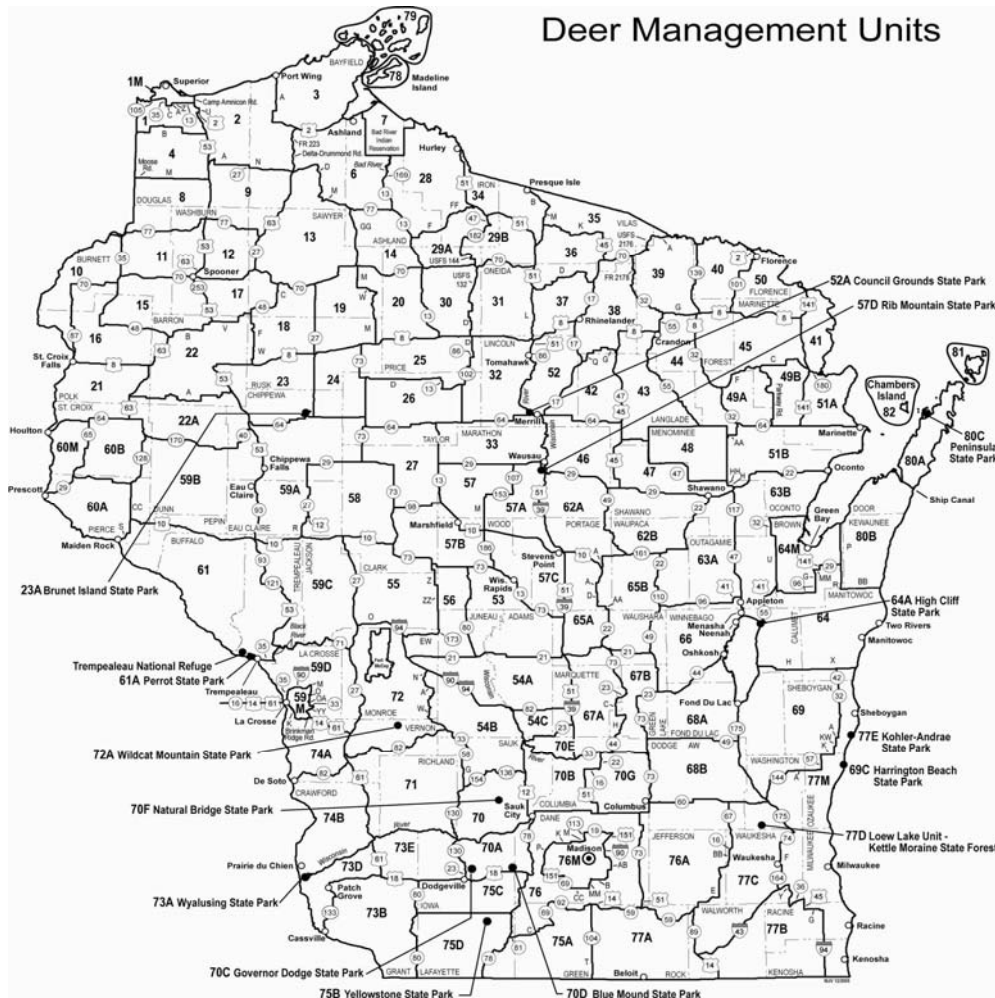
3. Persons successful in obtaining a turkey license and tag for any numbered zone and time period under par. (f)1. are not eligible to receive a Ft. McCoy military reservation turkey hunting license.

**Section 22. NR 10.25(4)(b) is repealed and recreated to read:**

**NR 10.25(4)(b)** By the use or aid of recorded or electrically amplified bird calls or sounds or imitations thereof, or while in possession of any type of device that produces recorded or electronic amplifications of bird calls or sounds.

**Section 23. NR 10.28(1) is repealed and recreated to read:**

**NR 10.28(1) STATEWIDE DEER MANAGEMENT UNITS.**



**Section 24. NR 10.33 is repealed and recreated to read:**

**NR 10.33 (intro.) Ruffed grouse management zones.**



**Section 25. NR 10.34 is repealed.**

**Section 26. NR 15.02(5) is repealed.**

**Section 27. NR 17.04(2)(a) is amended to read:**

**NR 17.04(2)(a) *Department lands.*** On department lands open to public hunting that are not designated open to dog training under s. NR 17.05, dogs shall be controlled by a person using a leash which is no more than 8 feet in length from April ~~45~~1 through July 31 except as described in sub. (3).

**Section 28. NR 19.025(2)(d) is amended to read:**

**NR 19.025(2)(d)** "Novice participant" means for hunting any person who is ~~44~~10 years old or older, who has had less than 2 years of hunting experience. For fishing, it means any person who is 5 years of age or older who has less than 2 years of fishing experience.

**Section 29. Effective dates.** These rules shall take effect on February 1, 2007, except sections 16, 17 and 18 which shall take effect on April 1, 2007.

**Section 30. Board adoption.** This rule was approved and adopted by the State of Wisconsin Natural Resources Board on

\_\_\_\_\_.

Dated at Madison, Wisconsin \_\_\_\_\_.

STATE OF WISCONSIN  
DEPARTMENT OF NATURAL RESOURCES

By \_\_\_\_\_  
Scott Hassett, Secretary

(SEAL)

## PROPOSED STATEWIDE AND REGIONAL FISHERIES MANAGEMENT AND HABITAT PROTECTION RULE CHANGES

*(If approved, these proposed rule changes would take effect on April 1, 2007, unless otherwise indicated.)*

**Question 21:** Clamming regulations - Prohibit harvest of live clams from inland waters.

Current non-commercial clamming regulations include a daily bag limit of 50 pounds, with no size limit, no closed season, and no distinction between species, although the harvest of threatened and endangered species is prohibited. Because most inland streams and lakes are small, clams are easy to collect. Recent low water and drought conditions make more clams accessible. Of the 51 species of native clams found in Wisconsin, 25 are classified as either Endangered, Threatened or of Special Concern (11 species Endangered, 7 Threatened, 7 Special Concern). Although threatened and endangered clams are protected by law, it is very difficult to identify different species of clams, even for scientists.

At no time in their history have clams faced a more serious threat to their continued existence than the present. Throughout much of the Midwest, native clams are experiencing population declines due to poor water quality, increased harvest and competition from exotic bivalves---most notably, the exotic zebra and quagga mussels. Continued impacts from impoundments and damming, delivery of polluted runoff from agricultural and urban sources, and loss of fish hosts currently limit statewide populations. There are systems which have not fully rebounded from intensive commercial harvest in the early 1990s. Most mussel biologists agree that statewide (as well as regionally and nationally), mussel populations are declining, and 70% of the mussel species in America are considered at risk. If adopted, this regulation would be implemented in fall, 2006.

*Under this proposal, shells of species of dead clams which are not listed as endangered or threatened can still be collected.*

➤ **Do you favor prohibiting the harvest of live clams from inland waters of Wisconsin?**

**21. YES \_\_\_\_\_ NO \_\_\_\_\_**

**Questions 22-24: Menominee River lake sturgeon regulations** – Establish catch-and-release only fishery below Hattie St. dam (Marinette County), and replace the current 50”/70” alternating minimum size limit with an annual 60” minimum between the first Saturday in September and September 30 above Hattie St. dam (Marinette County).

In the spring of 2005, population estimates calculated below White Rapids, Grand Rapids and Menominee Dam revealed lower than expected numbers of sturgeon. The exploitation rate has substantially exceeded the 5% rate established by WDNR for healthy lake sturgeon populations. In 2003, exploitation estimates exceeded 10%, and exceeded 20% in 2005. Previous harvest years from 1983 through 2003, indicate that more than 60% of the harvest occurred in the 50-54.9 inch size group. In order to maintain a viable lake sturgeon population less than 50% of the harvest should be composed of fish within 5 inches of the minimum size limit. The Menominee River contains the largest lake sturgeon population of all Lake Michigan river systems and its recovery is crucial towards the recovery of lake sturgeon populations in other watersheds of Lake Michigan. Currently, Green Bay and its tributaries (other than the Menominee River) have a closed fishery for lake sturgeon. The current regulation for the Menominee River (above and below the Hattie St. Dam) is an annually alternating 50”/70” minimum size limit, and the season is open between the first Saturday in September and November 1. The State of Michigan recently approved these proposed changes for this boundary water. If adopted, these regulations would be implemented in fall, 2006.

- **Do you favor a catch and release regulation with, no possession of lake sturgeon allowed in the Menominee River below Hattie Street Dam (Marinette County) to the mouth of the river?**

22. YES \_\_\_\_\_ NO \_\_\_\_\_

- **Do you favor a change in the size limit to a 60 inch minimum size for lake sturgeon in the Menominee River upstream from the Hattie Street dam (Marinette County)?**

23. YES \_\_\_\_\_ NO \_\_\_\_\_

- **Do you favor a season length for lake sturgeon in the Menominee River from the first Saturday in September through September 30?**

24. YES \_\_\_\_\_ NO \_\_\_\_\_

**QUESTION 25: Sinker release devices – Ban the use of devices that intentionally release lead weights upon fish strikes**

Conservation Wardens have received complaints that sport fishers are running sinker releases on their trolling lines on Lake Michigan. The device allows the attached sinker to release or drop away when a fish hits the line. The sinker release is typically used with ski boards that allow the side fishing to function in the same manner as a down rigger. We are advised that the typically lead weights of ½ to 4 lb. are used on the lines to get the lure down to the desired depths.

Investigation has revealed that sinker releases are being used more than initially expected. We have been advised that the devices have been used by fishers for the past 30 years. In an interview, one sport troller estimated that he had dropped 3,000 lb. of lead into the lake and that he has 11,000 lb of used lead in storage for molding new weights.

Conservation Wardens routinely issue citations to individuals who toss a soda or beer can into state waters (Penalty: \$186), which is manufactured with a harmless/inert metal.

This question proposes defining a “sinker release device” as any device that is designed to release a weight or sinker from a fishing line upon a strike from a fish while trolling.

- **Do you favor defining “sinker release devices” as stated above, and prohibiting their use in waters of the State?**

25. YES \_\_\_\_\_ NO \_\_\_\_\_

**Question 26: Ice shelter removal dates – Change deadlines for removal of ice shelters to Sunday after March 1 (south of Hwy 64) or Sunday after March 12 (north of Hwy 64)**

Under current law, ice fishing shacks must be removed from inland waters by a specific date in March (March 1 south of Hwy 64, March 15 north of Hwy 64).. Some years this date falls on a weekday and other years it falls on at weekend. Some individuals feel that this constant date each year forces the angler to take a day off of work to remove the shack or remove it the weekend before the removal deadline when it falls on a weekday.

The current removal dates have been in place for more than 32 years. While the DNR has never received a complaint from the public about the current deadline, we have agreed to put the question forward to gauge public support. If removal dates for inland waters are changed, there will continue to be different removal dates for the Wisconsin/Iowa, Wisconsin/Minnesota, or Wisconsin/Michigan boundary waters, or outlying waters of the state.

- **Do you favor changing the dates for ice shelter removal from inland waters to the Sunday after March 12 in waters north of Highway 64 (current removal date is March 15) and to the Sunday after March 1 for waters south of Highway 64 (current removal date March 1)?**

26. YES \_\_\_\_\_ NO \_\_\_\_\_

**Question 27:** Waters open to bowfishing at night – Increase the numbers of lakes open to night bowfishing

This proposal would increase the number of waters that shooting rough fish with a bow and arrow is legal from sunset to sunrise. Currently there are 53 lakes or flowages open to night bow fishing in 27 counties. These waters were first opened to night bow fishing on April 1, 2000.

This proposal would allow a bow and arrow to be possessed and used for spearing rough fish on the following inland lakes at any time during the open season for spearing as specified in s. NR 20.20: all inland lakes in Adams, Calumet, Chippewa, Clark, Columbia, Crawford, Dane, Dodge, Dunn, Eau Claire, Fond du Lac, Grant, Green, Green Lake, Iowa, Jackson, Jefferson, Juneau, Lafayette, Marathon, Marquette, Milwaukee, Monroe, Outagamie, Richland, Rock, Sauk, Trempealeau, Walworth, Winnebago and Wood counties; Lake Neshonoc, La Crosse county; Cedar and Wappogasset lakes, Polk county; Wisconsin River Flowage and Lake Dubay, Portage County; Tichigan and Wind lakes, Racine county; Potato lake, Rusk county; Cedar lake, St. Croix county; Shawano lake, Shawano county; Big Muskego lake and Lac LaBelle, Waukesha county; Lake Poygan, Waushara county.

The following lakes would be excluded from night bowfishing: Lake Wissota, Chippewa County; Blackhawk, Cox Hollow and Twin Valley Lakes, Iowa County; Lake Wazee, Jackson County; Devils and Mirror Lakes, Sauk County.

- **Do you favor expanding opportunities for night bowfishing in lakes statewide, as specified above?**

27. YES \_\_\_\_\_ NO \_\_\_\_\_

**Question 28:** St. Croix River opener for walleye and northern pike

There is a discrepancy between the MN and WI opening dates on the walleye & northern pike season on the Lower St. Croix River. Wisconsin changed its rule from the "Saturday nearest May 1st" to the "first Saturday in May", in 2001, which became effective April 1, 2002. This change was made after an agreement between both states at a meeting in 2000. Although Wisconsin followed through on the agreement, Minnesota did not. Simply because of the way the calendar dates have fallen since that time, it has not been an issue and went unnoticed until the spring of 2005. Minnesota officials have since stated they are no longer interested in changing their opening date for walleye and northern pike to "the first Saturday in May." This proposal would move the date of Wisconsin's opener on the St. Croix River back to "the Saturday nearest May 1," beginning in 2007.

- **Do you favor changing the date of the St. Croix River fishing opener for walleye and northern pike to "the Saturday nearest May 1," to be consistent with Minnesota regulations?**

28. YES \_\_\_\_\_ NO \_\_\_\_\_

**Question 29: St. Louis River sauger length limit**

There is a discrepancy between the MN and WI regulations for sauger. Currently, Wisconsin rules list a 15" minimum length limit, while Minnesota rules list a "no minimum" size limit. This proposal would remove Wisconsin's 15" minimum for sauger in the St. Louis River and replace it with no minimum size limit. The minimum length limit for walleye (15" in both states) and the aggregate bag limit for walleye and sauger would be unaffected.

- **Do you favor changing the 15" minimum for sauger in the St. Louis River to "no minimum size limit" for consistent regulations on Wisconsin and Minnesota boundary waters?**

**29. YES \_\_\_\_\_ NO \_\_\_\_\_**

**Question 30: Menominee River, Lake Michigan, and Green Bay walleye, sauger, and hybrids regulations**

The walleye fishery in the Menominee River and adjoining area of Green Bay has become very productive and is exceedingly popular with sport fishers. Inconsistent fishing regulations in Marinette/Menominee area are contributing to extensive confusion among anglers and creating major law enforcement problems for both Wisconsin and Michigan officers. This is particularly true during the very popular walleye spawning run in April when an angler at the mouth of the Menominee River could be under three different sets of regulations depending upon which side of the boat he/she is fishing:

- The Menominee River and portion of Green Bay between the break walls is under the WI/MI Boundary Waters regulations (NR 23) with a 1 walleye bag limit and 15" size limit from March 2 to the first Sunday in May and a 5 walleye bag limit with a 15" size limit for the remainder of the year.
- The Wisconsin waters of Green Bay have a continuous season with a 3 walleye bag limit and no size limit.
- The Michigan waters of Green Bay are closed to fishing walleyes from March 1 – May 14<sup>th</sup> with a 5 walleye bag limit and 15" size limit for the remainder of the year.

**These problems are further complicated by the fact that the WI/MI state line runs southeasterly at an angle of 101 deg. 15 min. from the center between the east ends of the break walls at Marinette/Menominee.**

**Question 30 (*continued from previous page*): Menominee River, Lake Michigan, and Green Bay walleye, sauger, and hybrids regulations**

**The proposed changes will create uniform seasons, size limits and bag limits for walleyes on the adjoining waters of the WI/MI Boundary Waters downstream from the Hattie St. Dam, the Bay of Green Bay, Green Bay tributaries, northern Lake Michigan and the northern Lake Michigan tributary streams. This proposal will also make the walleye size limits and bag limits on these waters consistent with the general state-wide walleye regulations during the regular fishing season. The State of Michigan has advanced rule changes that will create matching regulations on its adjoining waters. This will reduce confusion and problems for sport anglers, especially in the area of the mouth of the Menominee River.**

In summary, the proposal will:

1. Retain the current continuous open season in Lake Michigan and its tributaries north of Waldo Blvd. (Manitowoc), as well as in Green Bay and its major tributaries (including the Menominee River upstream to the Hattie St. dam). Between the first Saturday in May and the first Sunday in March, the bag limit will be 5 fish (currently 3), and the minimum length limit will be 15" (currently no minimum). Between the Monday after the first Sunday in March and the Friday before the first Saturday in May, the daily bag limit will be 1 fish, with a 15" minimum. The Fox River from the DePere Dam downstream to Green Bay will continue to have a 28 inch minimum size limit , 1 fish daily bag limit between the Monday after the first Sunday in March and the Friday before the first Saturday in May and a 3 fish daily bag limit with no minimum length during the remainder of the year;
2. in Lake Michigan and its tributaries south of Waldo Blvd (Manitowoc), there will be a continuous open season with a 5 fish daily bag limit and 15" minimum;
3. in minor tributaries to Green Bay upstream to the first dam, the open season will be between the first Saturday in May and the first Sunday in March, with a 5 fish (currently 3) daily bag limit and a 15" minimum length limit (currently no minimum).

The Warm Water Committee of the Conservation Congress unanimously endorsed the proposed changes at its committee meeting on Sept. 23, 2005. The State of Michigan has approved those changes which affect Wisconsin-Michigan boundary waters. If adopted, these regulations would be implemented in fall, 2006.

- **Do you favor adopting the above proposed changes to the walleye, sauger, and hybrid walleye/sauger regulations in Lake Michigan, Green Bay, and their tributaries?**

**30. YES\_\_\_\_\_ NO\_\_\_\_\_**

**Question 31: Fox River muskellunge season and regulation changes**

Great Lakes spotted muskellunge (hereafter muskellunge) have been stocked into Green Bay since 1989 in an attempt to reintroduce the once native species. Muskellunge have also been stocked in the Winnebago System since 2001 and Little Lake Butte des Morts since 2003 to expand reintroduction efforts and create possible brood sources for future hatchery production. Muskellunge reintroduced into Green Bay are protected with a 50 inch minimum size limit, allowing them to spawn multiple times before potentially being harvested. Muskellunge stocked elsewhere fall under a 34 inch minimum size limit. Data collected during surveys on Green Bay indicate that these muskellunge grow quickly, and spawning fish of known age captured during 2005 were 37-43.75 inches total length at age-5+ or age-6+. Some muskellunge stocked into Little Lake Butte des Morts as yearlings in 2003 will likely attain harvestable size during 2005 at age-3+. These fish will also be vulnerable to harvest during 2006 and part of 2007 before they spawn for the first time during April or May of 2007. Some of the muskellunge stocked into Little Lake Butte des Morts will likely move downstream, requiring a 50 inch minimum throughout the lower Fox River. A sound reintroduction strategy would not allow harvest of a species before it spawns for the first time. Muskellunge in Little Lake Butte des Morts and the lower Fox River should be protected with a 50 inch minimum size limit to allow each fish to spawn multiple times before reaching harvestable size.

- **Do you favor increasing the minimum length limit for muskellunge in the Fox River between Lake Winnebago and the DePere dam, including Little Lake Butte des Morts, from 34" to 50", and changing the season opening date from the first Saturday in May to the Saturday closest to Memorial Day?**

31. YES \_\_\_\_\_ NO \_\_\_\_\_

**Question 32: Lake Winnebago muskellunge regulation changes**

Great Lakes spotted muskellunge (hereafter muskellunge) have been stocked into Lake Winnebago since 2001 in an attempt to reintroduce the once native species. The Upriver Lakes (Winneconne, Poygan, and Butte des Morts) have been stocked since 2002. The primary long-term objective of the program is to restore a self-sustaining muskellunge population in the Winnebago system. A secondary long-term objective is to produce a fishable, high quality trophy muskellunge fishery on the Winnebago system. Muskellunge reintroduced into Green Bay are protected with a 50 inch minimum size limit, allowing them to spawn multiple times before possibly being harvested. Data collected during surveys on Green Bay indicate that these muskellunge grow quickly, and spawning fish of known age captured during 2005 were 37-43.75 inches total length at age-5+ or age-6+.

- **Do you favor increasing the minimum length limit for muskellunge in the Lake Winnebago system (including the Upriver Lakes) from 34" to 50"?**

32. YES \_\_\_\_\_ NO \_\_\_\_\_

**Question 33: Sunset extension for experimental Wisconsin, Lemonweir, and Yellow River walleye and sauger regulation**

Currently, there is an experimental protected slot limit from 20 to 28" for walleye, sauger and hybrids on the Wisconsin River from the Prairie du Sac Dam (Columbia and Sauk Counties) upstream to the Grandfather Dam (Lincoln County), the Yellow River (Juneau, Wood Counties) and the Lemonweir River (Juneau Co) with a 5 fish daily bag limit, of which only one fish may be over 28". This experimental regulation is scheduled to expire March 31, 2007. Evaluation studies done before implementation of the slot limit and during the 3 years since the regulation was enacted in April 2002 on Lake Wisconsin and Lake Wausau found some improvement in 20"+ walleye and sauger, but those effects cannot be definitively attributed to the regulation.

The initial sunset was too short to evaluate this experimental regulation. Fish hatched in 2005 would be the first to live a full life cycle in the absence of adult fish which were potentially impacted by the previous regulation. These fish will reach full vulnerability in 2009, and cannot be expected to enter the experimental protected slot until several years later (2011-2012). Fish which had reached 20" prior to implementation of the slot can be expected to remain in the system longer and fish can be expected to enter the protected slot at similar rates pre- and post-regulation. By extending the regulation through 2014 the Department is afforded the opportunity to evaluate the regulation after enough time has passed to observe its effects. Such evaluations should be conducted between 2008-2012, based upon the biology described. This question would extend the period of evaluation to March 31, 2014.

- **Do you favor extending the sunset clause from 2007 to 2014 on the experimental slot limit for walleye, sauger and hybrids on the Wisconsin River from the Prairie du Sac Dam (Columbia, Sauk Counties) upstream to the Grandfather Dam (Lincoln County), Yellow River (Juneau, Wood Counties), Lemonweir River (Juneau Co), in which there is a 15" minimum length limit and a 20-28" protected slot, with a daily bag limit of 5, with only one fish allowed over 28"?**

33. YES \_\_\_\_\_ NO \_\_\_\_\_

**Question 34: License exemption for individuals younger than 16 taking turtles**

It was brought to our attention that there is no exception from the need for a hunting or fishing license for individuals under the age of 16 for the taking of turtles. It was not the intent of this rule to mean that someone who is exempt from a fishing license due to being under the age of 16 must have a fishing license if they want to take, possess, or control a turtle, nor is this the way the law is enforced. Seasons, size, limits, possession limits and sale restrictions do still apply to those under age 16. Not all persons under 16 are *completely* exempt from having a fishing license. Section 29.219(1)(b), only exempts residents under 16 from having a license to fish for fish. Section 29.228(1)(b), only exempts nonresidents under 16 from the need for a fishing license if fishing by hook and line or rod and reel. Therefore, a fishing or small game license will still be required for nonresidents younger than 16 who take turtles by any method other than hook and line or rod and reel.

- **Do you favor modifying rules so that residents younger than 16 would not need a fishing or small game license to take, possess, or control turtles taken by any method, and for nonresidents younger than 16 would not need a fishing license to take turtles by hook and line or rod and reel, to reflect the intent of the law and the manner in which it is currently enforced?**

34. YES \_\_\_\_\_ NO \_\_\_\_\_

## **PROPOSED LOCAL FISHERIES RULE CHANGES**

### **BAYFIELD COUNTY**

**Question 35:** Pigeon lake bass regulations – replace 14” min/ 5 bag with 14”-18” protected slot and 3 fish daily bag limit

Pigeon Lake is a 213-acre seepage lake located within the Chequamegon-Nicolet National Forest in southern Bayfield County. A 1991 survey found a fishery dominated by largemouth bass and bluegill, with smaller but self-sustaining populations of northern pike, yellow perch, crappie and pumpkinseed. The bass population was considered excellent in terms of numbers and size structure. However, the bluegill fishery was poor in quality, as fish were abundant, slow-growing and few reached quality size (>6”). It was concluded that the existing bass and northern pike populations were ineffective in controlling bluegill numbers in the lake. Subsequently, a 5-year walleye stocking program was conducted from 1992 to 1998, with the main objective of providing greater predator control on the abundant bluegill population.

A fishery evaluation in 2003 indicated that walleye failed to establish a significant adult population (adult PE of 36) and, as such, were not providing adequate control over the abundant bluegill. The poor walleye success was due to low first-year survival of the stocked fingerlings, which was attributed to heavy competition/predation from the abundant Centrarchids (panfish and bass). The largemouth bass population had remained self-sustaining and relatively stable but it has failed to adequately control the bluegill population. In turn, the bluegill population had increased in abundance and the percent of quality size fish has remained very low. Once again, it was apparent the existing predator populations were ineffective in controlling bluegill in the 3” to 5” size. The current harvest regulation for bass is the 14-inch minimum and 5 daily bag.

Pigeon Lake would likely see an overall positive impact with the implementation of the proposed regulation. Bass anglers would still experience a quality angling opportunity where they would enjoy good catch rates of medium to large bass and still be allowed to harvest some of the more abundant smaller bass (that are also lower in contaminants). The biggest positive impact could be the improvement of the bluegill fishery.

Public involvement has included continuous consultation with the Pigeon Lake Association for the past 5 years. The WDNR, the US Forest Service and the Pigeon Lake Association have cooperated on several log fish-crib projects and in discussion regarding fish management on the lake. The proposal is supported by the Pigeon Lake Association.

- **Do you favor replacing the current 14” minimum and 5 fish daily bag limit for bass on Pigeon Lake (Bayfield County) with a 14” to 18” protected slot and 3 fish daily bag limit, where only one bass harvested may be longer than 18”?**

**35. YES \_\_\_\_\_ NO \_\_\_\_\_**

## PROPOSED LOCAL FISHERIES RULE CHANGES

### DODGE COUNTY

**Question 36:** Beaver Dam Lake walleye and sauger regulations – Extend sunset for 18” minimum/ 3 fish daily back limit regulation from March 31, 2007 to March 31, 2014.

Beaver Dam Lake, Dodge County, is a major source of local fishing opportunity for the angling public. However, the lake has historically required highly intensive effort on the part of fisheries management to produce and maintain such fishing opportunity, including two chemical treatments.

While the most recent chemical treatment was successful at removing carp and bullhead, the redevelopment of a desirable fishery initially appeared to be progressing much slower than had been predicted. However, since 1998, fishing opportunities on Beaver Dam Lake have improved, with anglers and Law Enforcement staff reporting good catches of bluegill, crappie, and walleye from the lake.

In order to protect the valuable walleye fishery on Beaver Dam Lake, an 18-inch minimum length limit; 3 fish per day regulation was enacted in 2002, with a five-year sunset clause, setting the regulation to expire in March 2007. Since enactment of the higher minimum size limit, the size distribution of walleye in Beaver Dam Lake has shifted, with several additional year classes present that were absent under the previous 15-inch minimum length limit regulation. While only in effect for three growing seasons, the regulation appears to be meeting the primary objective of maintaining and increasing the density of moderate and large adult walleye, and shifting the size distribution of the majority of walleye closer to 18 inches over time. Retaining the current regulation will allow for further evaluation of remaining objectives that could not be assessed within the limited, initial five-year sunset clause.

- **Do you favor extending the sunset for the 18-inch minimum length limit, 3 fish per day regulation for walleye, sauger, and their hybrids on Beaver Dam Lake, Dodge County, from March 31, 2007 to March 31, 2014, and including Mill Creek from the mouth upstream to the Fox Lake Dam, and all portions of Beaver Creek and all other tributaries to Beaver Dam Lake?**

36. YES \_\_\_\_\_ NO \_\_\_\_\_

## PROPOSED LOCAL FISHERIES RULE CHANGES

### DOOR COUNTY

**Question 37:** Kangaroo Lake walleye regulations – Increase the minimum length limit for walleye, sauger, and their hybrids on Kangaroo Lake from 15” to 18” and reduce the daily bag limit from 5 fish to 3 fish.

Kangaroo Lake is the largest lake in Door County and has a surface area of 1,123 acres. The lake has a maximum depth of 12 feet and an average depth of 6 feet. Kangaroo Lake has a Trophic State Index (TSI) rating of eutrophic indicating nutrient rich, productive water. At times, because the lake is shallow, lake water can be very turbid due to wind action or from heavy boating use.

A 2004 survey on Kangaroo Lake found that the walleye population had declined since previous surveys. Although walleye have been the most abundant gamefish captured in surveys since 1980, their abundance has been declining since 1983. As was the case in 1995, a large percentage of captured walleye in 2004 were juvenile fish. It appears that reproduction is good indicating recruitment into the population. Growth (length at age) is at or above statewide averages and is similar through age 8 to results from the 1995 survey. The presence of very old walleye (greater than 20 years of age) shows that walleye are able to survive in the lake although low adult abundance suggests that total annual mortality (natural and angler) is probably high.

While stocking of walleye may improve adult number over the short term, it will not improve the walleye population in the long term and may actually hurt the walleye population of the lake. Because we do see reproduction occurring, stocking is not recommended at this time. However, since it appears that walleye may not reach spawning age by the time they reach 15”, changes in the walleye minimum size and bag limit number are appropriate.

Modeling has indicated that the proposed walleye bag and size limits could yield 7.5 to 14% increases in the number of walleye reaching 18”, depending on the actual level of fishing mortality. Although this model does not take into account the effect of reducing the daily bag limit from 5 fish to 3 fish; it is likely that such a reduction would result in a decrease in harvest up to 13%, based upon Department creel surveys.

The Kangaroo Lake Association Board has unanimously voted to support this regulation change at their summer board meeting.

- **Do you favor increasing the minimum length limit for walleye, sauger, and their hybrids on Kangaroo Lake (Door County) from 15” to 18” and reducing the daily bag limit from 5 fish to 3 fish?**

37. YES \_\_\_\_\_ NO \_\_\_\_\_

## PROPOSED LOCAL FISHERIES RULE CHANGES

### LINCOLN COUNTY

**Question 38:** Muskellunge Lake bass regulations -- Increase the minimum size limit for largemouth and smallmouth bass from 14" to 18", and reduce the daily bag limit from 5 fish to 1 fish

Muskellunge Lake contains a very large population of 3-5 inch, slow growing bluegill. The largemouth bass population density is less than it needs to be to control these stunted bluegills. This regulation is needed to increase the number of largemouth bass, which will thin out the bluegill, allowing more of them to reach a harvestable size before they start dying of natural causes (old age). The Muskellunge Lake Association wants this regulation for the lake.

- **Do you favor changing the bass regulations on Muskellunge Lake (Lincoln County) from a 14-inch minimum size limit and daily bag of 5 bass to an 18-inch minimum size limit and daily bag limit of 1 bass?**

38. YES \_\_\_\_\_ NO \_\_\_\_\_

## PROPOSED LOCAL FISHERIES RULE CHANGES

### ONEIDA COUNTY

**QUESTION 39:** Oneida Lake bass regulation – Eliminate the 18-inch minimum length limit and establish a protected slot limit of 14 to 18 inches, and increase the daily bag limit from 1 to 3 with a restriction of only 1 fish longer than 18 inches allowed on Oneida Lake, Oneida County.

Under the current 18-inch minimum length limit, small bass are abundant in Oneida Lake. A 2003 survey found strong recruitment and high numbers of smaller bass. High bass numbers can have a negative impact on recruitment of other game species, and bass could impact the Oneida Lake walleye population if the current 18-inch minimum length limit is left in place. This rule will protect larger bass while allowing harvest opportunity and thinning of the smaller bass. The intended result is fewer bass, but higher growth rates and larger average size.

- **Do you favor replacing the current 18" minimum and 1 fish daily bag limit for bass on Oneida Lake (Oneida County) with a 14" to 18" protected slot and 3 fish daily bag limit, where only one fish harvested may be longer than 18"?**

39. YES \_\_\_\_\_ NO \_\_\_\_\_

**Question 40: Pelican Lake muskellunge regulation** – Increase the minimum length limit to 50 inches on Pelican Lake, Oneida County.

Pelican Lake has a naturally-reproducing muskellunge population (no stocking since 1998) of low to moderate density with a track record of producing a few exceptional fish. However, under the current 34-inch minimum length limit, Pelican Lake is not reaching its full potential to produce quality-size muskellunge. The last creel survey (1990) found that angler effort on Pelican Lake of 62.3 hours per acre is nearly double the Oneida County average (33.7 hours per acre), with 18% of total effort directed at muskellunge. The survey estimated that 146 muskellunge were harvested. Muskellunge reproduction may be insufficient to sustain this level of harvest. A local proposal by interested muskellunge anglers and guides received a favorable reception at the July 9, 2005 annual meeting of the Pelican Lake Property Owners Association, where 78% of the 89 attendees supported a higher minimum length limit, while 18% were against and 3% indifferent. Furthermore, a 50-inch minimum length limit (57% of positive votes) was more popular with Association members than either a 45-inch minimum (24%) or 40 to 50-inch protected slot (19%).

- **Do you favor increasing the minimum length limit to 50 inches for muskellunge on Pelican Lake, Oneida County?**

40. YES \_\_\_\_\_ NO \_\_\_\_\_

## PROPOSED LOCAL FISHERIES RULE CHANGES

### POLK COUNTY

**Question 41:** Big Butternut Lake bass regulations – Eliminate the 14” minimum length limit for largemouth and smallmouth bass in Big Butternut Lake, Polk County.

Big Butternut Lake is a 378-acre drainage lake located in north central Polk County in Luck, Wisconsin. The lake was surveyed in 2003-2004. Historically a robust walleye fishery was present with an adult density of 4.7 fish/acre in 1990. In 2003, the adult walleye population estimate decreased to 1.0 fish/acre. This is a 77% decrease over the past 13 years. Over the same time period, the surveys document an increase in largemouth bass abundance. Historic fall electrofishing surveys indicate that the relative abundance of walleye has decreased from 148 fish/hr in 1975 to 1 fish/hr in 2003. Conversely, largemouth bass relative abundance has increased 1,850% from 8/hr in 1985 to 156/hr in 2003.

Walleye abundance in 2003 was below the management goal of 2.0 -4.0 adult fish/acre. The suboptimal walleye population may be due to two factors. First, walleye natural reproduction is currently non-existent in Big Butternut Lake, whereas historically it appeared some natural reproduction contributed to the fishery (Cornelius 1992). Second, small fingerling walleye stocking has generally failed during the 1990 through present date, whereas it appeared to be very successful prior to 1990. It is suspected that largemouth bass are impeding successful recruitment of walleye in Big Butternut Lake. This proposal is designed to encourage anglers to harvest more largemouth bass from the lake, with the management goal of improving walleye abundance.

- **Do you favor eliminating the 14” minimum length limit and retaining the 5 fish daily bag limit for bass in Big Butternut Lake, Polk County?**

41. YES \_\_\_\_\_ NO \_\_\_\_\_

## PROPOSED LOCAL FISHERIES RULE CHANGES

### SAWYER COUNTY

**Questions 42-43:** Nelson Lake bass and pike regulations –remove 14” size limit for bass and retain 5 fish daily bag limit, and increase northern pike size limit from “no minimum” to 32” and reduce daily bag limit from 5 fish to 1 fish.

In July 2004, the Department of Natural Resources conducted a Lake Management Planning Meeting designed to get public for setting management goals for Nelson Lake, Sawyer County. The public in attendance was strongly in favor of restoring a self-sustaining (NR) walleye population. Furthermore, they are willing to lower populations of bass to get there. Bass may have played a role in the walleye’s decline and could make walleye restoration more difficult. The public also continues to support a quality panfish, and a trophy northern pike fishery. A program to restock large fingerling walleye has already begun. These regulation strategies are required to reach the goals of the Nelson Lake Fishery Management Plan. They are designed to restrict harvest of and protect walleye, and trophy northern pike; while using liberalized angling harvest to reduce bass population density.

- **Do you favor removing the 14” minimum and retaining the 5 fish daily bag limit for bass in Nelson Lake, Sawyer County?**

42. YES \_\_\_\_\_ NO \_\_\_\_\_

- **Do you favor increasing the minimum length limit for northern pike in Nelson Lake from no minimum to 32” and reducing the daily bag limit from 5 fish to 1 fish?**

43. YES \_\_\_\_\_ NO \_\_\_\_\_

**Question 44:** Smith Lake panfish regulations – Reduce the daily bag limit for panfish on Smith Lake, Sawyer County, from 25 fish to 10 fish.

Smith Lake in Sawyer County is at risk of over-harvest for quality size panfish. Lake groups have approached the DNR requesting a reduction in the daily bag limit for panfish, and the local fisheries manager agrees that the proposal has merit. The same regulation has already been applied to six similar lakes in this county.

- **Do you favor reducing the daily bag for panfish on Smith Lake, Sawyer County, from 25 per day to 10 per day?**

44. YES \_\_\_\_\_ NO \_\_\_\_\_

## PROPOSED LOCAL FISHERIES RULE CHANGES

### VILAS COUNTY

**Question 45:** Kentuck Lake bass regulations – Increase the minimum length limit from 14” to 18” and reduce the daily bag limit from 5 fish to 1 fish for largemouth and smallmouth bass in Kentuck Lake, Vilas County.

The current 14 inch minimum size limit and 5 fish bag limit is not adequate to protect this bass fishery. A recent change of this lake to a walleye dominated fishery may result in declines in the bass fishery. This was the case in the early 1980's when walleye were very abundant in the lake. It is recommended to change the bass regulation on this lake to an 18 inch minimum length and 1 fish daily bag limit. The goal of this regulation is to maintain current bass catch rates, improve quality, and potentially control abundance of rusty crayfish.

- **Do you favor increasing the minimum length limit from 14 inches to 18 inches and reducing the daily bag limit from 5 fish to 1 in total for bass on Kentuck Lake, Vilas County?**

45. YES \_\_\_\_\_ NO \_\_\_\_\_

**Question 46:** Pallette Lake bass regulations – Eliminate the 16-inch minimum length limit and daily bag of two and establish a 22-inch minimum length limit and daily bag of one bass on Pallette Lake, Vilas County.

Pallette Lake is one of 5 lakes that comprise the Northern Highlands Fishery Research Area. An experimental 16” minimum length limit for smallmouth bass has been in effect since 1989, and has been thoroughly evaluated. Under the current 16” minimum length limit, smallmouth bass are not reaching their growth potential in Pallette Lake even though very few anglers are keeping bass. This rule will protect bass so they have a chance to reach their size potential while allowing the opportunity to harvest a true "trophy". The intended result is more "trophy" bass, higher catch rates of 20” fish, and more angling interest.

- **Do you favor increasing the minimum length limit from 16” to 22” inches and reducing the daily bag limit from 2 fish to 1 fish for bass in Pallette Lake, Vilas County?**

46. YES \_\_\_\_\_ NO \_\_\_\_\_

## PROPOSED LOCAL FISHERIES RULE CHANGES

### WAUSHARA COUNTY

**Question 47:** Long Lake muskellunge and northern pike regulations – Remove special regulations for northern pike and muskellunge on Long Lake, Waushara County.

Long Lake has been used as a rearing area for brood stock spotted muskellunge as part of the Green bay/ Fox River spotted muskellunge restoration effort. In talks with the Long Lake Association, the Department has agreed to discontinue the use of Long Lake as a brood lake for spotted muskellunge.

Under this program, the Department closed fishing for muskellunge and implemented a 32" minimum size limit for northern pike, to help eliminate the chance that anglers would unknowingly harvest juvenile musky. This proposal would remove these two special regulations, and the regulations for musky and northern pike would revert to the statewide regulations (34" minimum, 1 fish daily bag limit for musky; 26" minimum, 2 fish daily bag limit for northern pike).

- **Do you favor removing the special regulations for northern pike and muskellunge on Long Lake, Waushara County, so they would revert to the statewide regulations (34" minimum, 1 fish daily bag limit for musky; 26" minimum, 2 fish daily bag limit for northern pike)?**

**47. YES \_\_\_\_\_ NO \_\_\_\_\_**

**Questions 48-50:** Gilbert, Pearl, and Pine Lake trout regulations – Extend the open season for trout in Gilbert, Pearl, and Pine Lakes.

The We Really Kare (WRK) Fishing Club, in Waushara County, raises money and promotes better fishing on a handful of lakes through stocking trout. In the springs of 2004 and 2005, WRK stocked rainbow trout in Pine and Gilbert Lakes. The Pearl Lake Association also began a trout stocking program on Pearl Lake. These lakes primarily provide put-and-take trout fisheries, and holdovers from year-to-year are present but limited. This proposal would change the open season for trout in these three lakes from "the first Saturday in May through September 30" to "the first Saturday in May through the first Sunday in March," to allow anglers further opportunity to harvest stocked trout. Most lakes with stocked trout fisheries are also open through the first Sunday in March.

**Questions are on the following page.**

- Do you favor changing the open season for trout on Gilbert Lake, Waushara County from “the first Saturday in May through September 30” to “the first Saturday in May through the first Sunday in March?”

48. YES \_\_\_\_\_ NO \_\_\_\_\_

- Do you favor changing the open season for trout on Pearl Lake, Waushara County from “the first Saturday in May through September 30” to “the first Saturday in May through the first Sunday in March?”

49. YES \_\_\_\_\_ NO \_\_\_\_\_

- Do you favor changing the open season for trout on Pine Lake, Waushara County from “the first Saturday in May through September 30” to “the first Saturday in May through the first Sunday in March?”

50. YES \_\_\_\_\_ NO \_\_\_\_\_

ORDER OF THE STATE OF WISCONSIN NATURAL RESOURCES BOARD  
REPEALING, AMENDING, AND CREATING RULES

The Wisconsin Natural Resources Board proposes an order to repeal NR 20.20(73)(c); to amend NR 19.275(3), 20.11(1), 20.09(2), 20.20(4)(c), 20.20(11)(k)1, 20.20(14)(f), 20.20(15), 20.20(29)(h)1, 20.20(35)(b), 20.20(35)(g)1m, 20.20(37)(i)1, 20.20(44)(b)2, 20.20(44)(c)1, 20.20(45)(cm)1, 20.20(49)(am), 20.20(50)(h)2, 20.20(56)(j)2, 20.20(57)(d), 20.20(57)(f)2, 20.20(64)(c), 20.20(70)(d), 20.20(70)(f), 20.20(72)(h)1, 20.20(73)(g), 20.20(73)(o), 21.04, 23.05(5)(c)1, 24.10; and to create NR 20.03(37t), 20.05(16), 20.09(2m), 20.20(5)(bm)1, 20.20(71)(cm)1, 20.20(44)(b)4, 20.20(57)(dm) relating to fishing on the inland, outlying, and boundary waters of Wisconsin.

**FH-12-06**

**Analysis Prepared by the Department of Natural Resources**

**Statutes Interpreted:** In promulgating this rule, ss. 29.624, 29.161, 29.204, 29.207, 29.231 or 29.235, Stats., which authorize the hunting of small game, and 29.624, 29.228, 29.219, 29.231, 29.235, 29.531, 29.533, 29.014(1), 29.039 and 29.041, Stats., which authorize fishing, have been interpreted as giving the department the authority to make changes to fishing regulations on inland and boundary waters of Wisconsin.

**Statutory Authority:** Sections 29.014(1), 29.039, 29.041, and 227.11(2)(a), Stats.

**Explanation of Agency Authority to Promulgate the Proposed Rules Under the Statutory Authority:** Sections 29.014(1), 29.039, 29.041 and 227.11(2)(a), Stats., grant rule making authority to the department to establish and maintain open and closed seasons for fish and game and any bag limits, size limits, rest days and conditions governing the taking of fish and game that will conserve the fish and game supply and ensure the citizens of this state continued opportunities for good fishing, hunting and trapping; grant that the department may establish limitations relating to taking, possession, transportation, processing, and sale or offer for sale, of nongame species; and provide that the department may regulate hunting and fishing on and in all interstate boundary waters, and outlying waters. Section 227.11(2)(a), Stats., expressly confers rulemaking authority on the department to promulgate rules interpreting any statute enforced or administered by it, if the agency considers it necessary to effectuate the purpose of the statute.

**Related Rule or Statute:** None.

**Plain Language Rule Analysis:** Section by section details of this rule order are outlined:

Section 1 exempts residents younger than 16 years of age from the requirement to hold a fishing license or small game permit to take, possess, or control turtles.

Section 2 defines “sinker release devices” as any commercial or home made device designed to attach to a fishing line used for trolling for fish and release the weight or sinker.

Section 3 prohibits the use of “sinker release devices” as defined in Section 2 above.

Section 4 changes removal dates for ice fishing shelters placed on inland waters.

Section 5 broadly opens night bowfishing opportunities in lakes statewide.

Sections 7, 10, 13, 15, 16, 22, 23, and 31 extend the sunset provision from March 31, 2007 to March 31, 2014 for the experimental 20-28” protected slot limit for walleye and sauger on the Wisconsin river in Adams, Columbia, Juneau, Lincoln, Marathon, Portage, Sauk, and Wood counties.

Section 8 replaces the current 14” minimum length and 5 fish daily bag limits for largemouth and smallmouth bass in Pigeon lake, Bayfield county, with a 14-18” protected slot and 3 fish daily bag limit, where only one harvested fish may be larger than 18”.

Sections 9, 18, and 27 increases the minimum length limit for muskellunge from 34” to 50” in the Fox river in Brown, Outagamie, and Winnebago counties, and changes the season opening date from the first Saturday in may to the Saturday closest to Memorial day.

Section 11 extends the sunset date for the 18” minimum and 3 fish daily bag limits for Beaver Dam lake, Dodge county from March 31, 2007 to March 31, 2014, and adds Mill creek to the list of waters affected by this rule.

Section 12 increases the minimum length limit for walleye and sauger in Kangaroo Lake, Door Co., from 15” to 18”, and reduces the daily bag limit from 5 fish to 3 fish.

Section 14 increases the minimum size limits for largemouth and smallmouth bass in Muskellunge lake, Lincoln county from 14” to 18” and reduces the daily bag limit from 5 fish to 1 fish.

Sections 17 and 18 replace the current 18” minimum length and 1 fish daily bag limits for largemouth and smallmouth bass in Oneida lake, Oneida county, with a 14-18” protected slot and 3 fish daily bag limit, where only one harvested fish may be larger than 18”.

Section 19 increases the minimum size limit for muskellunge in Pelican lake, Oneida county, from 34” to 50”.

Section 20 replaces the current 14” minimum size limits for largemouth and smallmouth bass in Big Butternut lake, Polk county, with no minimum size limit.

Section 24 replaces the current 14” minimum size limits for largemouth and smallmouth bass in Nelson lake, Sawyer county, with no minimum size limit.

Section 25 increases the minimum size limit for northern pike in Nelson lake, Sawyer county, from no minimum length to 32”, and reduces the daily bag limit from 5 fish to 1 fish.

Section 26 reduces the daily bag limit for panfish in Smith lake, Sawyer county, from 25 fish to 10 fish.

Section 27 increases the minimum size limits for largemouth and smallmouth bass in Kentuck lake, Vilas county from 14” to 18” and reduces the daily bag limit from 5 fish to 1 fish, and

increases the minimum size limits for largemouth and smallmouth bass in Palmetto lake, Vilas county from 16" to 22" and reduces the daily bag limit from 2 fish to 1 fish.

Sections 28 and 29 remove special regulations for muskellunge and northern pike in Long lake, Waushara county.

Section 30 extends the open season for trout in Gilbert, Pearl, and Pine lakes, Waushara county.

Section 33 increases the minimum length limit for muskellunge in lake Winnebago system waters from 34" to 50".

Section 34 simplifies walleye regulations in the Menominee river below the Hattie street dam and in waters of Green bay, to provide consistent regulations for anglers fishing either Wisconsin or Michigan waters.

Section 35 changes the season opening date for walleye, sauger, and northern pike in the St. Croix river from the first Saturday in May to the Saturday nearest May 1 to provide consistent regulations for anglers fishing either Wisconsin or Minnesota waters, and removes the 15" minimum for sauger in the St. Louis river, again to provide consistent regulations for anglers fishing either Wisconsin or Minnesota waters.

Section 36 establishes a catch-and-release only fishery for lake sturgeon in the Menominee river below the Hattie street dam, and replaces the current 50"/70" alternating minimum size limits for lake sturgeon in the Menominee river above Hattie street dam with an annual 60" minimum size limit.

Section 37 prohibits recreational harvest of freshwater mussels from inland waters of Wisconsin.

**Summary of and Comparison with Existing or Proposed Federal Regulations:** None known.

**Comparison of Similar Rules in Adjacent States:** Fisheries management is generally quite similar in the states surrounding Wisconsin. All the bordering states regulate fishing by the use of seasons, bag limits and size limits. Specific seasons, bag and size limits may differ for species across the surrounding states; however, the general principles are similar. Michigan, Minnesota, Iowa and Illinois all have statewide seasons, bag and size limits for fish species, along with special or experimental regulations on individual waters.

**Summary of Factual Data and Analytical Methodologies Used in Support of the Rule:** Rule proposals were developed by fisheries and law enforcement staff to address management and enforcement concerns. Proposals were reviewed for need and adequacy, and approved by fish team or law enforcement team supervisor and forwarded to regional director for approval. Proposals approved by the regions were forwarded to the FH Bureau Director, who conducted a review with the Fisheries and Habitat Board, law enforcement, legal services, and the Great Lakes Indian Fish and Wildlife Commission. Proposals approved by the FH Bureau Director are included.

**Analysis and Documentation Used in Support of the Agency's Determination Under s. 227.114, Stats., (Small Business Impact):** The proposed rules do not apply directly to businesses, but to sport anglers, with the possible exception of rules clarifying the time for placement and removal of set or bank poles and setlines. Some setlines and set or bank poles

may be used by licensees who sell the catfish, rough fish or turtles they catch. However, the decision to sell is at the discretion of the licensee and no reporting of sales is required, the department has no objective basis for quantifying the effect of the proposed rule on such small businesses, if they exist.

**Effect on Small Business, Including How the Rule Will Be Enforced:** The proposed rule will not directly affect small business as the rules will not directly apply to them, with the possible exception of some holders of setline or set or bank pole licenses who choose to sell the catfish, rough fish and turtles that they catch, but such sales are discretionary and no reporting is required, so it is not known whether the proposed rule relating to the clarification of timing of placement of setlines and set or bank poles will affect any licensees who are small businesses. Any effects are likely to be insignificant. The rules will be enforced by Conservation Wardens who have arrest powers and may use citations.

**Agency contact person:** Joseph Hennessy, FH/4 101 South Webster Street, Madison, WI 53707-7921; email: Joseph.Hennessy@dnr.state.wi.us; phone: 608.267.9427.

**Place where comments are to be submitted and deadline for submission:** Comments can be submitted via mail to the contact and address above. In addition, comments can be submitted during the open comment period using the Internet at <http://adminrules.wisconsin.gov>. The comment period will begin upon publication of the public hearing notice and will continue until April 17, 2006.

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SECTION 1. NR 19.275(3)(a) is amended to read:

**NR 19.275(3)(a)** Take, possess or control a turtle unless the person is in possession of a valid approval issued under s. 29.624, 29.161, 29.204, 29.207, 29.231 or 29.235, Stats., which authorize the hunting of small game, or an approval issued under s. 29.624, 29.228, 29.219, 29.231, 29.235, 29.531, 29.533, Stats., which authorize fishing, unless otherwise exempt from the need to possess one of more of these approvals to hunt or fish under ch. 29, Stats.

Note: The s. 29.228, Stats., fishing license exception for nonresidents under age 16 only applies to taking fish by hook and line. Therefore, any nonresident under age 16 who takes turtles by hand, hooking or with hoop net turtle traps must possess a valid fishing or small game authorization.

SECTION 2. NR 20.03(37t) is created to read:

NR 20.03(37t) "Sinker release device" means any device that is designed to release a weight or sinker from a fishing line upon a strike from a fish while trolling.

SECTION 3. NR 20.05(16) is created to read:

**NR 20.05 (16)** Possess or use a sinker release device while fishing in waters of the state.

SECTION 4. NR 20.09(2). is amended to read:

**NR 20.09(2)** Use, possess or control any bow, spear or similar device from sunset to sunrise while on the waters or on the banks or shores of any waters except that a bow and arrow may be possessed and used for spearing rough fish on the following inland lakes at any time during the open season for spearing as specified in s. NR 20.20: all inland lakes, except for those lakes listed in sub. (2m), in Adams, Calumet, Chippewa, Clark, Columbia, Crawford, Dane, Dodge, Dunn, Eau Claire, Fond du Lac, Grant, Green, Green Lake, Iowa, Jackson, Jefferson, Juneau, Lafayette, Marathon, Marquette, Milwaukee, Monroe, Outagamie, Richland, Rock, Sauk, Trempealeau, Walworth, Winnebago and Wood counties; Castle Rock and Peterwell flowages, Adams and Juneau counties; Round and Trade lakes, Burnett county; Lake Winnebago, Calumet county; Arbutus and Mead lakes, Clark county; Lake Wisconsin, Mud lake and Park lake, Columbia county; Lakes Monona, Mendota, Kegonsa, Koshkonong and Waubesa, Dane county; Beaver Dam lake, Chub lake, Fox lake, Mud lake, Horicon Marsh and Lake Sinnissippi, Dodge county; Eau Galle lake, Lake Menomin and Tainter lake, Dunn county; Lake Winnebago, Fond du Lac county; Big Green lake, Lake Puckaway and Little Green lake, Green Lake county; Ludden lake, Iowa county; Lake Koshkonong, Jefferson county; Lake Neshonoc, La Crosse county; Yellowstone lake, Lafayette county; Big Eau Pleine flowage, Lake DuBay and McMillan reservoir, Marathon county; Buffalo lake and Grand River Marsh, Marquette county; Cedar and Wappogasset lakes, Polk county; Wisconsin River flowage and Lake DuBay, Portage county; Tichigan and Wind lakes, Racine county; Lake Koshkonong, Rock county; Potato lake, Rusk county; Cedar lake, St. Croix county; Lake Wisconsin, Sauk county; Shawano lake, Shawano county; Delavan, Como and Geneva lakes, Walworth county; Big Muskego lake and Lac LaBelle, Waukesha county; Lake Poygan, Waushara county; Lakes Butte des Morts, Poygan, Winnebago, Winneconne and Rush lake, Winnebago county.

SECTION 5. NR 20.09(2m) is created to read:

**NR 20.09(2m)** Bow and arrow may not be possessed or used for spearing rough fish on the following inland lakes from sunset to sunrise while on the waters or on the banks or shores of: Lake Wissota, Chippewa county; Blackhawk, Cox Hollow and Twin Valley lakes, Iowa county; Lake Wazee, Jackson county; Devils and Mirror lakes, Sauk county.

SECTION 6. NR 20.11(1)(d) and (e) are amended to read:

**NR 20.11 (1)(d)** The fishing shelter is removed from the ice daily and when not in use after ~~March 5~~ the first Sunday following March 1, on inland waters south of highway 64.

(e) The fishing shelter is removed from the ice daily and when not in use after ~~March 15~~ the first Sunday following March 12, on inland waters north of highway 64 and all other outlying waters.

SECTION 7. NR 20.20(1)(h)1. is amended to read:

**(1) ADAMS** (for species or waters not listed, see sub. (73))

(h) Walleye, sauger and hybrids	1. Wisconsin river including sloughs, bayous and flowages	a. Hook and line.	Continuous	5 in total but until March 31, 2007 2014 none may be from 20 to 28 and only 1 may be > 28	15
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SECTION 8. NR 20.20 (4)(c)2. is created to read:

**(4) BAYFIELD** (for species or waters not listed, including Lake Superior, see sub. (73))

(c) Largemouth and smallmouth bass	<u>2. Pigeon lake</u>	<u>a. Hook and line.</u>	<u>First Saturday in May to Friday preceding third Saturday in June</u>	<u>0</u>	<u>--</u>
-	-	-	<u>Third Saturday in June to the first Sunday in March</u>	<u>3 in total but only 1 may be longer than 18"</u>	<u>None except the possession of fish from 14" through 18" is prohibited</u>

SECTION 9. NR 20.20(5)(bm)1. is created to read:

**(5) BROWN** (for species or waters not listed, see sub. (73))

(bm) <u>Muskellunge</u>	<u>1. Fox river upstream from DePere dam</u>	<u>a. Hook and line.</u>	<u>Saturday nearest Memorial Day to November 30</u>	<u>1</u>	<u>50</u>
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SECTION 10. NR 20.20(11)(k)3. is amended to read:

**(11) COLUMBIA** (for species or waters not listed, see sub. (73))

(k) Walleye, sauger and hybrids	<u>3. Lower Wisconsin river upstream from Prairie du Sac dam</u>	<u>a. Hook and line.</u>	<u>Continuous</u>	<u>5 in total but until March 31, <del>2007</del> 2014 none may be from 20 to 28 and only 1 may be &gt; 28</u>	<u>15</u>
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SECTION 11. NR 20.20(14)(f)2. is amended to read:

**(14) DODGE** (for species or waters not listed, including Lake Superior, see sub. (73))

(f) Walleye, sauger and hybrids	2. Fox lake, Beaver Dam lake <u>and its tributaries until March 31, 2014, and Mill creek until the first Sunday in March 31, 2007 2014</u>	a. Hook and line.	First Saturday in May to the first Sunday in March	3 in total	18
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SECTION 12. NR 20.20(15)(d) is created to read:

**(15) DOOR** (for species or waters not listed, including Lake Superior, see sub. (73))

(d) Walleye, sauger and hybrids	1. Kangaroo lake	a. Hook and line	Continuous	3 in total	18
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SECTION 13. NR 20.20(29)(h)1. is amended to read:

**(29) JUNEAU** (for species or waters not listed, see sub. (73))

(h) Walleye, sauger and hybrids	1. Yellow river and its sloughs, bayous and flowages, Lemonweir river and its sloughs, bayous and flowages, Wisconsin river and its sloughs, bayous and flowages	a. Hook and line.	Continuous	5 in total but until March 31, 2007 <u>2014</u> none may be from 20 to 28 and only 1 may be > 28	15
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SECTION 14. NR 20.20(35)(b)2. is created to read:

**(35) LINCOLN** (for species or waters not listed, see sub. (73))

(b) Largemouth and smallmouth bass	2. Muskegon lake	a. Hook and line	First Saturday in May to Friday preceding third Saturday in June	0	--
			Third Saturday in June to the first Sunday in March	1	18

SECTION 15. NR 20.20(35)(g)1m. is amended to read:

**(35) LINCOLN** (for species or waters not listed, see sub. (73))

(g) Walleye, sauger and hybrids	1m. Wisconsin river downstream from Grandfather dam including sloughs, bayous and flowages	a. Hook and line.	Continuous	5 in total but until March 31, <del>2007</del> <u>2014</u> none may be from 20 to 28 and only 1 may be > 28	15
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SECTION 16. NR 20.20(37)(i)1. is amended to read:

**(37) MARATHON** (for species or waters not listed, see sub. (73))

(i) Walleye, sauger and hybrids	1. Wisconsin river including sloughs, bayous and flowages	a. Hook and line.	Continuous	5 in total but until March 31, <del>2007</del> <u>2014</u> none may be from 20 to 28 and only 1 may be > 28	15
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SECTION 17. NR 20.20(44)(b)2. is amended to read:

**(44) ONEIDA** (for species or waters not listed, see sub. (73))

(b) Largemouth and smallmouth bass	2. Bearskin lake, Crescent lake, <del>Oneida lake</del> , Pelican lake, Stella lake	a. Hook and line.	First Saturday in May to Friday preceding third Saturday in June	0	--
			Third Saturday in June to the first Sunday in March	1 in total	18

SECTION 18. NR 20.20(44)(b)4. is created to read:

**(44) ONEIDA** (for species or waters not listed, see sub. (73))

(b) Largemouth and smallmouth bass	4. Oneida lake	a. Hook and line	First Saturday in May to Friday preceding third Saturday in June	0	--
			Third Saturday in June to the first Sunday in March	3 in total but only 1 may be longer than 18"	None except the possession of fish from 14" through 18" is prohibited

SECTION 19. NR 20.20(44)(c)1. is amended to read:

**(44) ONEIDA** (for species or waters not listed, see sub. (73))

(c) Muskellunge	1. Clear lake (T39N, R7E, S16), <u>Pelican lake</u>	a. Hook and line	Saturday nearest Memorial day to November 30	1	50
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SECTION 20. NR 20.20(45)(cm)1. is created to read:

**(45) OUTAGAMIE** (for species or waters not listed, see sub. (73))

(cm) Muskellunge	1. Fox river	a. Hook and line	Saturday nearest Memorial day to November 30	1	50
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SECTION 21. NR 20.20(49)(am)2. is created to read:

**(49) POLK** (for species or waters not listed, see sub. (73))

(am) Largemouth and smallmouth bass	2. Big Butternut lake	a. Hook and line.	First Saturday in May to the first Sunday in March	5	None
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SECTION 22. NR 20.20(50)(h)2. is amended to read:

**(50) PORTAGE** (for species or waters not listed, see sub. (73))

(h) Walleye, sauger and hybrids	2. Wisconsin river including sloughs, bayous and flowages	a. Hook and line.	Continuous	5 in total but until March 31, <del>2007</del> <u>2014</u> none may be from 20 to 28 and only 1 may be > 28	15
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SECTION 23. NR 20.20(56)(j)2. is amended to read:

**(56) SAUK** (for species or waters not listed, see sub. (73))

(j) Walleye, sauger and hybrids	2. Lower Wisconsin river upstream from the Prairie du Sac dam	a. Hook and line.	Continuous	5 in total but until March 31, <del>2007</del> <u>2014</u> none may be from 20 to 28 and only 1 may be > 28	15
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SECTION 24. NR 20.20(57)(d)2. is created to read:

**(57) SAWYER** (for species or waters not listed, see sub. (73))

(d) Largemouth and smallmouth bass	2. Nelson lake	a. Hook and line.	First Saturday in May to Friday preceding third Saturday in June	0	--
			Third Saturday in June to the first Sunday in March	5	None

SECTION 25. NR 20.20(57)(dm). is created to read:

**(57) SAWYER** (for species or waters not listed, see sub. (73))

(dm) Northern pike	1. Nelson lake	a. Hook and line.	First Saturday in May to the first Sunday in March	1	32
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SECTION 26. NR 20.20(57)(f)2. is amended to read:

**(57) SAWYER** (for species or waters not listed, see sub. (73))

(f) Panfish	2. Christner lake, Moose lake, Nelson lake, Sand lake, Sissabagama lake, <u>Smith lake</u>	a. Hook and line.	Continuous	10 in total	None
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SECTION 27. NR 20.20(64)(c)2. and 5. are amended to read:

**(64) VILAS** (for species or waters not listed, see sub. (73))

(c) Largemouth and smallmouth bass	2. Big Muskellunge lake, East Ellerson lake, Forest lake, Gunlock lake, Little Bass lake (T40N, R8E, S15), <u>Kentuck lake</u> , Middle Ellerson lake, Papoose lake, Plum lake, Salsich lake, Trout lake, Wabasso lake, West Plum lake, White Sand lake (T42N, R7E, S27), Whitney lake	a. Hook and line.	First Saturday in May to Friday preceding third Saturday in June	0	--
			Third Saturday in June to the first Sunday in March	1 in total	18
	5. Palette lake	a. Hook and line. Daily permit required (see s. NR 20.41)	Continuous	<del>2 in total</del> <u>1</u>	<del>46</del> <u>22</u>

SECTION 28. NR 20.20(70)(c) is repealed

SECTION 29. NR 20.20(70)(d)2. is repealed.

SECTION 30. NR 20.20(70)(f)4. is amended to read:

**(70) WAUSHARA** (for species or waters not listed, see sub. (73))

(f) Trout and salmon	4. <u>Gilbert lake,</u> Johns lake, <u>Pearl lake,</u> <u>Pine lake,</u> Spring lake, White River pond (west branch), Wild Rose millpond	First Saturday in May at 5:00 a.m. to the first Sunday in March	5 in total	7
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SECTION 31. NR 20.20(71)(cm) is created to read:

**(71) WINNEBAGO** (for species or waters not listed, see sub. (73))

(cm) Muskellunge	1. Fox river downstream from Neenah-Menasha dam including Little Butte des Morts lake	a. Hook and line.	Saturday nearest Memorial day to November 30	1	50
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SECTION 32. NR 20.20(72)(h)1. is amended to read:

**(72) WOOD** (for species or waters not listed, see sub. (73))

(h) Walleye, sauger and hybrids	1. Yellow river including sloughs, bayous and flowages from the highway 54 dam at Dexterville downstream, Wisconsin river including sloughs, bayous and flowages	a. Hook and line.	Continuous	5 in total but until March 31, <del>2007</del> <u>2014</u> none may be from 20 to 28 and only 1 may be > 28	15
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SECTION 33. NR 20.20(73)(g)1m. is created to read:

**(73) SPECIES OR WATERS NOT LISTED IN SUBS (1) TO (72)**

(g) Muskellunge	1m. Lake Winnebago system waters	a. Hook and line.	First Saturday in May to November 30	1	50
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SECTION 34. NR 20.20(73)(o)2. and 3. are amended to read:

**(73) SPECIES OR WATERS NOT LISTED IN SUBS (1) TO (72)**

(o) Walleye, sauger and hybrids	2. All other waters of Green Bay, major Green Bay tributaries, Lake Michigan waters north of a line running due east from the eastern terminus of Waldo boulevard in the city of Manitowoc <u>Lake Michigan tributaries north of a line due east from the eastern terminus of Waldo boulevard in the city of Manitowoc</u>	a. Hook and line	<u>Continuous</u>	3 <u>5</u> in total	<del>None</del>
			<u>First Saturday in May to the first Sunday in March</u>		<u>15"</u>
			<u>Monday after the first Sunday in March to the Friday before the first Saturday in May</u>	<u>1</u>	<u>15"</u>
	3. Lake Michigan tributaries <u>south of a line due east from the eastern terminus of Waldo boulevard in the city of Manitowoc</u> ; Lake Michigan waters south of a line due east from the eastern terminus of Waldo boulevard in the city of Manitowoc	a. Hook and line	Continuous	5 in total	15

SECTION 35. NR 21.04(2)(a) and (d) and (3)(a) are amended to read:

**NR 21.04 Sport fishing; seasons and limits**

(2) WALLEYE AND SAUGER

(a) St. Croix river downstream to Prescott	<del>First Saturday in May</del> <u>Saturday nearest May 1</u> to March 1	6 in aggregate	No size limit for sauger, 15 for walleye
(d) St. Louis river	Saturday 2 weeks prior to the Saturday nearest Memorial Day to March 1	2 in aggregate	<del>45</del> <u>No size limit for sauger, 15 for walleye</u>

(3) NORTHERN PIKE

(a) St. Croix river downstream to Prescott	<del>First Saturday in May</del> <u>Saturday nearest May 1</u> to March 1	5	No size limit
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SECTION 36. NR 23.05(5)(c)1. is amended to read:

(c) Lake Sturgeon

1. Menominee river, <u>upstream from Hattie St. dam</u>	First Saturday in September to <del>November 1</del> <u>September 30</u>	1 per season	<del>50 in odd numbered years, 70 in even numbered years</del> <u>60</u>
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SECTION 37. NR 24.10 is amended to read:

**NR 24.10 Clamming: size limits; open seasons, species and waters.** No person may engage in clamming except between sunrise and sunset during the open season in waters which are open to clamming, for clams of a species which is open to clamming and which are of the minimum size or larger, as shown in the following table:

Waters Open to Clamming	Open Season	Open Species	Minimum Size
All boundary, <del>inland</del> and outlying waters	all year	all except those listed in s. NR 27.03 (2) (g) or (3) (g)	None
All , inland waters	No open season	None, however any quantity of dead shells that are not from endangered or threatened clams may be collected	--

SECTION 38. EFFECTIVE DATE. This rule shall take effect on April 1, 2007, except sections 34, 36, and 37 which shall take effect on the first day of the month following publication in the Administrative Register, as provided in s. 227.22(2)(intro.), Stats.

SECTION 39. BOARD ADOPTION. This rule was approved and adopted by the State of Wisconsin Natural Resources Board on \_\_\_\_\_.

Dated at Madison, Wisconsin,\_\_\_\_\_

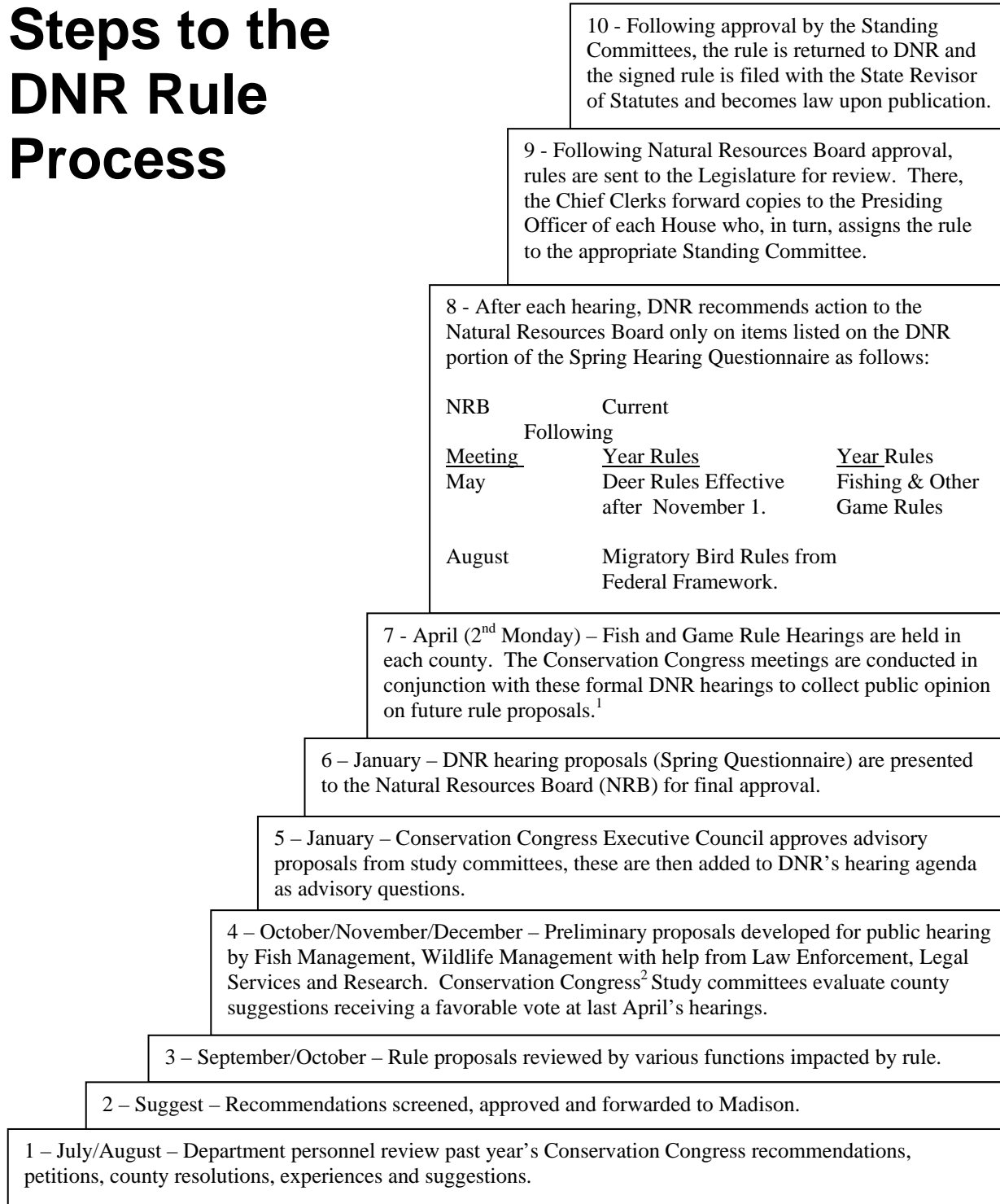
STATE OF WISCONSIN  
DEPARTMENT OF NATURAL RESOURCES

By \_\_\_\_\_

**Scott Hassett, Secretary**

(SEAL)

# Steps to the DNR Rule Process



<sup>1</sup> The Conservation Congress is a citizen group created by law to provide advice to the Natural Resources Board on Conservation Matters. The Conservation Congress members are elected during the annual fish and game hearings. Most rule recommendations received on the floor of the public hearings or by mail to DNR are referred to the Wisconsin Conservation Congress for study and evaluation. Those proposals that receive a favorable recommendation from the Congress are placed on the Congress portion of the Spring Questionnaire to poll public opinion the following year.

<sup>2</sup> Standing Committees have 30 days to either approve the rule or call for meetings with the DNR or public hearings. The meetings or hearings are to be held within 30 days, but if changes are requested, negotiations with the DNR may extend beyond these time frames.



**You are now entering the  
Wisconsin Conservation Congress  
County Meeting**

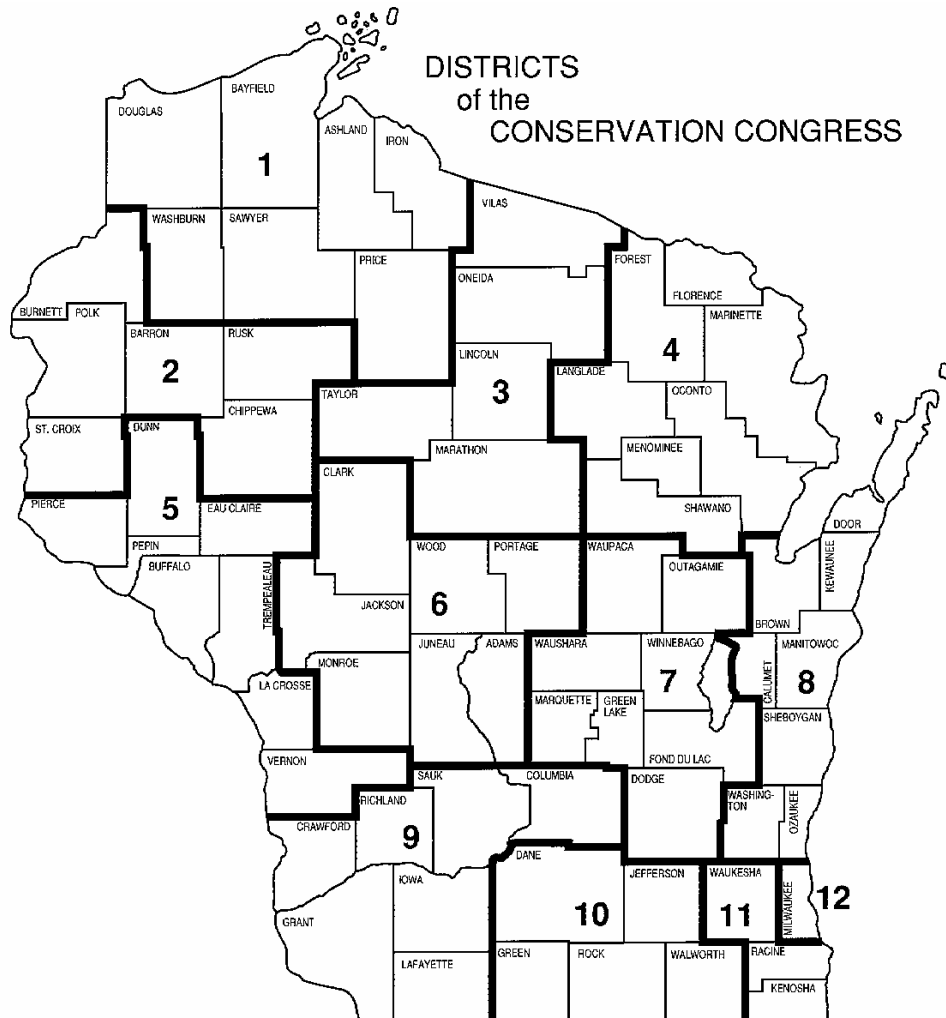
The Wisconsin Conservation Congress does NOT accept written  
comments on its advisory questions.

Any comments on the Spring Hearing process only, may be made  
directly to:

AnnMarie Kutzke, LS/5, DNR, P.O. Box 7921, Madison, WI 53707-7921

The Wisconsin Department of Natural Resources provides equal opportunities in its employment, programs, services and functions under an Affirmative Action Plan. If you have any questions, please write Equal Opportunity Office, Department of Interior, Washington, D.C. 20240.

This publication is available in alternative format (large print, Braille, audio tape, etc.) upon request. Please call (608) 266-2952 for more information.



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## EXECUTIVE COUNCIL ADVISORY QUESTIONS

### Questions 51 & 52: Deer Baiting & Feeding Penalties

Feeding and baiting of deer alters natural movement patterns of deer. This results in deer feeding at night and causes less day time deer movement during the fall deer hunting seasons. Feeding and baiting of deer also concentrates deer on private land deer sanctuaries. This reduces the numbers of deer available to hunters on nearby public and private lands, helping to frustrate deer herd management and control. The widespread use of deer baiting and feeding in Wisconsin is also resulting in an entire generation of hunters who rely on it as the only method they know for deer hunting. Rather than learning how to study deer sign, movement and ecology, they merely place out bait and wait.

Because of the competitive baiting between adjacent hunters and landowners, wardens are seeing an increased incidence of illegal baiting (more than 2 gallons per bait site or with adjacent bait piles less than 100 yards apart) and an increase in hunting after legal hunting hours since many deer wait until dark to feed at bait piles. Wardens also report a substantial number of people illegally shooting deer from cabins and residences during the night at deer feeding sites located nearby. This takes away opportunity away from and tarnishes the image of law abiding hunters.

In addition, deer feeding and baiting artificially congregates deer in situations that can help spread disease in deer and elk populations. Due in part to deer feeding, the number of elk in northern Wisconsin has dropped to less than 110 animals during winter of 2005-06, putting the future of this herd and potential elk hunting seasons in Wisconsin at risk. Elk have died as a result of feeding at deer feeding sites, because of vehicle collisions, falling through nearby ice, or exposure to disease and parasites.

- **Would you favor legislation that would prohibit recreational feeding of deer from September 1 to January 1 each year?**

51. YES \_\_\_\_\_ NO \_\_\_\_\_

- **Would you favor an increase the penalty for violating deer baiting laws (i.e., more than 2 gallons per bait site or bait piles less than 100 yards apart) to a \$2,000 forfeiture plus a 5 year mandatory revocation of all hunting and fishing privileges?**

52. YES \_\_\_\_\_ NO \_\_\_\_\_

**Questions 53: Rifles in Manitowoc County**

Deer Hunters in Manitowoc County are restricted to the weapons allowed in the shotgun designated zones, like shotguns, handguns ( including rifle cartridge handguns ), and muzzle loaders to harvest deer during the gun deer season. There are no biological or safety reasons for the current restriction.

At present, state law does not permit the use of shoulder fired rifles for the hunting of deer in Manitowoc County. Only rifle cartridge hand guns are allowed. We feel that Wisconsin law should allow for the use of shoulder fired rifles to hunt deer during the gun deer seasons in Manitowoc County.

Shoulder fired rifles are more accurate at greater ranges. This may be beneficial in increasing the harvest of deer in a management unit (64) that has been over it's target population for several years in a row.

There is no data that indicates counties that are shotgun designated zones are safer than counties that are rifle designated zones. In reality shotgun designated zones account for a higher percentage of hunting incidents (shotgun zones make up 33% of the state yet account for 44% of all hunting incidents).

- **Should the DNR take action to allow the use of shoulder fired rifles to hunt deer in Manitowoc County?**

53. YES\_\_\_\_ NO\_\_\_\_

<b>AIR, WASTE AND WATER COMMITTEE ADVISORY QUESTIONS</b>
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**Question 54: Segregated Conservation Fund Accounts**

In Wisconsin, nearly all of the funding for fish and wildlife management is provided through the sale of hunting, fishing, and trapping licenses, fee's and various stamps. These funds are, by law, deposited in the Conservation Fund, a segregated account to be used for fish and wildlife management related purposes. In 2005, the Wisconsin Legislative Joint Finance Committee proposed spending hundreds of thousands of dollars from the Conservation Fund, for purposes NOT related to fish and wildlife management.

The Air, Waste and Water Committee wants to ensure the Conservation Fund segregated account is used for the purpose it was created; the account needs more protection.

- **Should the State of Wisconsin establish the Conservation Fund segregated account be an inviolate account that, by law, can only be used for fish and wildlife management and the related purposes for which the funds were collected?**

54. YES\_\_\_\_ NO\_\_\_\_

**Question 55: Non-toxic Sinkers and Jigs**

Research has demonstrated lead sinkers and jigs are a potential threat to various waterfowl, particularly loons. Practical and affordable non-toxic material for sinkers and jigs are developed and are available.

- **Should the Wisconsin DNR establish a pilot educational program to promote voluntary sale of non-toxic sinkers and jigs for fishing in the waters of the state?**

55. YES\_\_\_\_ NO\_\_\_\_

<b>BIG GAME COMMITTEE ADVISORY QUESTIONS</b>
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**Question 56: Deer Baiting**

- **Should deer baiting be banned statewide year round?**

56. YES\_\_\_\_ NO\_\_\_\_

**Question 57: Deer Feeding**

- **Should deer feeding be banned statewide year round?**

57. YES\_\_\_\_ NO\_\_\_\_

<b>FUR HARVEST COMMITTEE ADVISORY QUESTIONS</b>
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**Question 58: Possession of Green Pelts**

Currently, Wisconsin law requires that no person can possess or sell the green pelts of any species, except beaver, beginning on the 5th day after the season closes for that particular species. Fur harvesters would like have additional time to prepare or sell green fur. This would allow hunters and trappers to better take advantage of fluctuating fur markets.

- **Do you favor eliminating the fifth day restriction on the possession or sale of green fur?**

58. YES\_\_\_\_ NO\_\_\_\_

**Question 59: Preference Point Only Option for Bobcat, Otter, and Fisher**

Bobcat, otter, and fisher permits are awarded on a preference point based lottery system. One preference point is awarded for each consecutive year in which an applicant applies for, but does not receive a permit. An applicant will not receive a permit before accumulating enough preference points. When an applicant has accumulated enough preference points, he or she must accept the permit.

Permits are awarded shortly before the beginning of the seasons for each of these species. Hunters and trappers have sometimes not been able to arrange vacations to use their permits because of the late notification.

Should a system be designed that would allow an applicant the option of receiving the permit, or only accepting a preference point would allow him to accept a permit only when he has accumulated enough preference points that he is sure that he will get a permit. He could then plan his vacation well in advance of the season. He could also wait to receive permits until he was sure of receiving permits for multiple species.

- **Do you favor allowing applicants for bobcat, otter, and fisher permits to select an option of receiving a preference point only when making their application?**

**59. YES\_\_\_\_\_ NO\_\_\_\_\_**

**Question 60: Return Muskrat and Mink South Zone**

Historically, Wisconsin was divided into three zones, with three different opening dates for trapping mink and muskrats. Starting in 2005, the old south zone was merged with the central zone. Starting dates across the state are now earlier than the old traditional dates. Some trappers are concerned about the primness earlier season furs. they would like to see a return of the old south zone.

- **Do you favor creating a new south zone for mink and muskrats, south of highway 60, with a season starting date on the Saturday between November 4, and November 10.**

**60. YES\_\_\_\_\_ NO\_\_\_\_\_**

## GREAT LAKES COMMITTEE ADVISORY QUESTIONS

### Questions 61 - 63: Smallmouth Bass Changes

The smallmouth bass fishery in the waters of Green Bay and Lake Michigan is famous throughout Wisconsin and the United States as a highly productive fishery, having a long history of consistently producing trophy size fish. The future of this smallmouth bass fishery is now threatened by an increasing population of round goby, an exotic species which has established itself in the Great Lakes. It is well documented that the gobies, along with crayfish, quickly move in and eat the eggs after the bass are removed from their spawning beds.

There is strong concern that the current smallmouth bass season in these waters does not protect the bass from being removed from their beds. The current fishing season structure for most of the Bay of Green Bay and Lake Michigan allows a daily bag limit of 5 smallmouth bass with a minimum length of 14" from the first Saturday in May through the first Sunday in March (Exception: The area around Washington Island where the season runs from July 1 to the 1<sup>st</sup> Sunday the following March). The season is currently closed during a period of time when the bass are not spawning and therefore provides no protection for the fish or their nests and eggs during the critical reproductive period for these fish.

Smallmouth bass in these waters typically spawn in mid to late May and the male bass then protect their eggs during the incubation period between late May and the end of June. Given average springtime water temperatures, most of the eggs will have hatched by the last week in June. Documented observations show reproductive success of smallmouth bass is significantly threatened by predators such as the round goby. DNR fisheries biologists have observed the eggs of smallmouth bass being consumed by round gobies and other predators in a matter of minutes after the adult bass is removed from the spawning bed.

- **Are you in favor of a higher level of protection for smallmouth bass and their developing eggs during the spawning period by allowing the smallmouth bass season for the entire Bay of Green Bay and Lake Michigan to remain closed from the first Monday following the first Sunday in March through June 30<sup>th</sup>, resulting in an open season from July 1<sup>st</sup> through the first Sunday in March?**

61. YES\_\_\_\_ NO\_\_\_\_

- **Are you in favor of a reduced level of protection for smallmouth bass and their developing eggs during the spawning period by allowing a "catch and release" season (e.g. zero bag limit) from the first Saturday in May through June 30<sup>th</sup>, followed by an open smallmouth bass season from July 1<sup>st</sup> through the first Sunday in March with a 5 fish bag limit on the entire Bay of Green Bay and Lake Michigan?**

62. YES\_\_\_\_ NO\_\_\_\_

- **Are you in favor of reducing the daily bag limit on smallmouth bass from 5 to 3 during the open season for the entire Bay of Green Bay and Lake Michigan?**

63. YES\_\_\_\_ NO\_\_\_\_

## LAW ENFORCEMENT COMMITTEE ADVISORY QUESTIONS

### **Question 64:** Portable Ground Blinds with Blaze Orange

The popularity of portable ground blinds is increasing. These blinds totally conceal hunters and are usually made with camouflaged material. The hunter is required to wear blaze orange while hunting during the deer gun season there is no such requirement for these type of blinds. Wisconsin law should require that these blinds have a 6-inch wide band of blaze orange attached to the blind between 36 and 60 inches above ground level, and visible from 360 degrees around the blind. This requirement would be in effect during the deer gun season and the muzzleloader season.

- **Would you favor requiring portable ground blinds to have blaze orange attached as described above during any deer gun season and the muzzleloader season?**

64. YES\_\_\_\_ NO\_\_\_\_

### **Questions 65 - 67:** Hunter, Angler and Trapper Bill of Rights

In recent years, there has been an increase of political intervention in the management of Wisconsin's natural resources including fish and wildlife management. In 1995, the Legislature transferred the appointment authority of the DNR Secretary from the citizen Natural Resources Board to the Governor.

During the 2005-2007 State Budget deliberations the Legislative Joint Finance Committee voted to remove \$1.35 million from the Waterfowl, Great Lakes and Wild Turkey Stamp Accounts and diverted the funds away from the habitat restoration and stocking purposes of these accounts.

In recent years there have been substantial political delays in legislative confirmation of Natural Resource Board members. Some Board members have not had confirmation votes by the State Senate for as long as five years after they have been nominated for the position. Such delays reduce the ability of Board members to make independent judgments on natural resource matters.

These actions have increasingly led to political intervention in the management of Wisconsin's natural resources, contrary to the interests of state's hunters and anglers.

**Do you support the adoption by the State Legislature of a Hunter, Angler and Trapper Bill of Rights to include:**

- **Do you favor a statute restoring to the Natural Resources Board the authority to appoint the DNR Secretary;**

65. YES\_\_\_\_ NO\_\_\_\_

- **Do you favor a state constitutional amendment prohibiting the diversion of fish and wildlife funds from their statutorily designated purpose; and**

66. YES\_\_\_\_ NO\_\_\_\_

- **Do you favor a statute requiring an up or down vote on Natural Resources Board nominees within six months of their nomination.**

67. YES\_\_\_\_ NO\_\_\_\_

**Question 68: Farm Use Value**

Voluntary conservation practices on Wisconsin's farms have greatly improved wildlife habitat, water quality, and soil conservation, at no cost to taxpayers. Taxes on agricultural land are controlled by use value assessment (Tax 18), but only lands restored through the Conservation Reserve Program or the Conservation Reserve Enhancement Program, etc. retain agricultural classification. Lands restored voluntarily, *without subsidies*, or through other enrollment programs (e.g., WRP or USFWS programs) are subject to reclassification and, in many cases, consequent tax increases. What is worse, portions of existing farms that have already been restored cannot be subsequently enrolled in programs that qualify for agricultural tax treatment under Tax 18. Retention of these voluntary conservation practices is thus discouraged by the resulting higher tax. Per acre taxes on voluntarily established conservation practices has already risen on some farms to twenty five times the use-value tax.

The restoration and preservation of wetlands and riparian buffer strips on farms is consistent with goals of the WDNR, and numerous federal and state programs, and improves wildlife habitat, water quality, and soil conservation on Wisconsin farms. Farm owners who did the right thing before government established programs to encourage it, or who did the right thing without applying for government subsidies, should not be punished by unfair taxation for doing so. State property tax policies should treat voluntarily protected wetlands and buffer strips on farms the same as those that receive annual subsidies. Alternatively, already established farmland conservation practices on and adjacent to wetlands and streams should be permitted to enroll in a program that does qualify for farm use-value tax assessment.

- **Do you support that the Department of Natural Resources endorse, and request the Legislature and the Departments of Revenue and Agriculture undertake, a review of property taxes on farm conservation lands to identify and implement sensible and fair solutions to these concerns?**

68. YES \_\_\_\_ NO \_\_\_\_

**Question 69: Uniform Slow-No-Wake**

Wisconsin lakes currently have a 200 foot from shore slow-no-wake buffer for personal watercraft use. There is a 100 foot slow-no-wake rule from piers, docks or buoyed restricted area for all other motorboats.

Research has indicated that wakes cause our shorelines to suffer erosion and damaging sediment/nutrient stirring effects that damage and destroy spawning and nesting areas. In an effort to protect the environment and reduce safety incidents would you favor the question below?

- **Would you be in favor of a 100 foot from shore, piers and rafts slow-no-wake rule for motorboats, with the understanding that the 200 foot from shore slow-no-wake rule would remain for personal watercraft?**

69. YES \_\_\_\_ NO \_\_\_\_

**Question 70: Discharge of a Firearm**

Wisconsin law states that one must have a 100 yard radius from a residence, in which one cannot discharge a firearm on lands they do not own, including public lands. Consequently, in areas where people build homes on the boundaries of public hunting areas, hunters lose up to 100 yards (from the residence) of public lands on which one cannot discharge a firearm.

The land surrounding these public lands is extremely desirable by homeowners and developers with residences constructed very near the boundaries of adjacent public land thus eliminating large amounts of public hunting land. Other states, including Minnesota, have restrictions to discharging firearms within a certain distance from a residence but exclude this restriction on public land when discharging a firearm is done in a safe and proper manner.

- **Would you favor the DNR implement an exception to current law prohibiting the discharge of a firearm within 100 yards of a residence while on public property?**

70. YES\_\_\_\_ NO\_\_\_\_

<p><b>OUTDOOR HERITAGE &amp; EDUCATION COMMITTEE</b> <b>ADVISORY QUESTIONS</b></p>
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**Question 71: Ban on Shining**

Shining violations have increased in recent deer gun seasons. Shining promotes poaching and trespassing. By the State of Wisconsin eliminating shining the burden of these violation calls would be taken off the back of DNR wardens and local law enforcement.

- **Do you favor the Legislature take steps to correct this situation by implementing a statewide ban on the shining of wild animals yet allow the use of light at the point of kill for species that can be hunted at night?**

71. YES\_\_\_\_ NO\_\_\_\_

## TROUT COMMITTEE ADVISORY QUESTIONS

### **Question 72:** Create a Single Standardized Statewide Trout Regulation

In 1990, trout streams were grouped into 5 categories that allowed various streams and fisheries to be managed according to their biological potential. In 2003, the regulations were reviewed and modified to reduce the category number to 4, simplify the regulations and continue to manage the streams dependant on their biological and physical capabilities.

While some anglers feel there is a need to manage trout streams on a category basis to optimize the fishery, there is concern by others that regulations are still too complicated and have driven fishers away from the sport of trout fishing. Although, not supported by scientific evidence, some individuals feel that regulations may be responsible for the drop off in youth recruitment to the trout fishing ranks.

- **Would you support the standardization of a statewide trout regulation that would allow for a 3 bag trout limit with a 7 inch size restriction?**

72. YES\_\_\_\_ NO\_\_\_\_

## TURKEY COMMITTEE ADVISORY QUESTIONS

### **Question 73:** Landowner Preference

Currently, to be eligible for Landowner Preference you must own 50 or more acres in one parcel in the zone you apply for. Some landowners own land in different parcels. Landowner Preference should be available for landowners who have ownership of 50 or more acres of adjacent or non-adjacent land in the zone they apply for.

- **Do you favor changing landowner preference from 50 acres in one parcel to 50 acres of adjacent or non-adjacent land in the same zone you apply for?**

73. YES\_\_\_\_ NO\_\_\_\_

## WARM WATERCOMMITTEE ADVISORY QUESTIONS

### **Question 74:** Walleye size limit – Lower Wisconsin River

The purpose of the current 18" rules was to improve the walleye reproduction by increasing the number of brood stock. The current 18" size limit on walleye directs harvest on spawning females, who mature at 18". No evaluation has been conducted to evaluate the impact of the current 18" size limit on walleye. However, anglers would prefer to harvest walleyes that are in a range of 15 to 20 inches in size. This would be consistent with the slot limit currently in place above Prairie du Sac dam.

- **Do you favor the DNR take steps to allow the harvest of 15 to 20 inch walleye with a bag limit of 3 walleye with the option of 1 walleye that could be harvested at 28 inches or larger on the lower Wisconsin River?**

74. YES\_\_\_\_ NO\_\_\_\_

## **Conservation Congress Delegate Election**

### **Delegate Eligibility**

- Any citizen of the county who is able to perform the responsibilities is eligible to run for election that evening.
- Must be a Wisconsin resident.
- The Conservation Congress encourages equal treatment regardless of race, age, color, creed, religion, national origin, ancestry, sex, disability, sexual orientation, marital status, arrest, conviction, veteran status or political affiliation.
- Elected delegates must be an adult resident of the county, but to give the widest geographic representation, it is recommended that not more than three members of the committee be from the same civil town, city or village.
- To guard against possible conflict of interest or bias, no full or part-time employee(s) of the Department or member of the Board shall be members of the county committee.

### **County Voter Eligibility**

Individuals voting for county delegates shall be:

- Residents of the county in which they are voting.
- At least 18 years of age.

### **Delegate Election Process**

One three year and one two year member shall be elected each year, unless a vacancy occurs, in which case, it shall be filled for the unexpired term at the county meeting.

County Congress committee members shall be elected on separate written ballots. At least two nominations should be requested from the floor for each vacancy.

Election must be by 50% + 1 vote of eligible voters in attendance.

### **Delegate Terms**

One three year and one two year member shall be elected each year, unless a vacancy occurs, in which case, it shall be filled for the unexpired term at the county meeting.

The term of any member who does not attend the annual Congress meeting, unless excused by the county chair, shall automatically expire.

The terms shall be for three (3) years and two (2) years respectively with each position numbered through five (5).

Delegates one (1) through three (3) with three (3) year terms, delegates four (4) and five (5) with two (2) year terms.

The rotations shall continue as the present terms expire.

If a vacancy occurs the county chair or vice chair (in the absence of the chair) may appoint someone to fill the vacancy.

In the absence of the county chair and vice chair the district councilor shall appoint to fill the vacancies.

## **Conservation Congress How to Write a Resolution**

The Conservation Congress would like to improve communications with people who submit resolutions at the Spring Hearings and Conservation Congress Meeting. Your cooperation in following these instructions will help the Congress to provide you with information about how your resolution has been processed.

In order for a resolution to be accepted for further consideration by the Conservation Congress and for public vote at the Spring Hearings, **all** resolutions introduced at the Spring Hearings and Congress Meeting must meet the following requirements:

### **Resolution Content**

- The concern must be of statewide impact or the concern has been unable to be resolved at a local county level (within your county) or district level (within your Congress district).
- The resolution must clearly define the concern that is of statewide impact or defines an unresolved concern at the local county level or district level.
- Current state statutes and law must be considered, with reasonable cause for change being presented if applicable.
- The resolution must suggest a solution to the concern that is of statewide impact or defines an unresolved concern at the local county level or district level.
- Description of further action desired for the resolution.
- Concerns must be practical, achievable, reasonable and not obviously inappropriate.

### **Resolution Format**

- The resolutions should be **type written on 8 ½ x 11 white paper**. Resolutions that are hand written in printed and legible format on 8 ½ x 11 white paper maybe accepted.
- Provide the Congress County Chair with **two copies** of the resolution for submission.
- The **authors' name, mailing address, county, telephone number and signature is required** to be at the bottom of the resolution.
- Resolutions must be **250 words or less**, must be **typed on one side** of an **8 ½ x 11 white sheet** of paper and there will be no attachments or additional sheets accepted for the same resolution.

### **Resolution Presentation**

- Only the individual author or designated representative of the organization may present the resolution within the county.
- No more than two resolutions, may be introduced by any person at the Spring Hearings and Congress Meeting.
- Written resolutions not meeting the above criteria and/or verbal resolutions will not be accepted at the Spring Hearing and Conservation Congress Meeting.

## **Conservation Congress Resolution Information**

### **Resolution Voting**

- All resolutions that meet the above criteria will be accepted at the Spring Hearings & Conservation Congress Meeting. After the resolution has been presented, attending citizens of the county will vote on the resolution as read.
- If the resolution has a passing vote at the County level, the resolution will be referred to the Rules and Resolutions committee of the Congress in May for further action and consideration at the annual Conservation Congress convention or to be assigned to an Advisory Committee.
- The Rules & Resolutions Committee will then assign the resolution to an advisory committee, with discretion on sending a resolution to multiple committees.
- If the resolution did not have a passing vote at the County level, the County Chair should refer the resolution back to the author in writing to include the reason that it was referred back.

### **Resolution Follow-Up**

- The County Chair and/or Vice-chair will contact the author in **writing** after the Spring Hearings and Conservation Congress Meeting to advise what the county vote was on the resolution and the status of the resolution.
- The County Chair and/or Vice-chair will contact the author in **writing** after the Annual Convention in May to advise where the resolution has been assigned and what the status of the resolution is.
- The Advisory Committee chair and/or secretary will contact in **writing** the authors of resolutions and invite them to appear or write a letter to the assigned advisory committee members to further explain the resolution or provide further information. Typically, advisory committee meetings take place in the fall and meeting notices are sent out to authors of the resolution.
- The Advisory Committee chair and/or secretary will contact in **writing** the authors of resolution to update them on the status of the resolution.

## Conservation Congress Sample Resolution

### The Problem:

Dinosaurs are a threat to agriculture across the state, especially in April and May, because they make deep footprints in newly planted farm fields, damaging the emerging crops. The problem is aggravated in southern Wisconsin, because dinosaurs are migrating across the state line to avoid hunting pressure in Illinois.

There is already an overpopulation of dinosaurs in Wisconsin.

At present, state law does not permit dinosaur hunting at any time during the year. We feel that Wisconsin law should be consistent with Illinois, which permits dinosaur hunting in the spring.

Whereas, Wisconsin farmers are suffering significant crop damage because of dinosaur incursions.

Whereas, There are already too many dinosaurs in Wisconsin, therefore

**BE IT RESOLVED**, the Conservation Congress at its annual meeting held in **Your County** on **Month, Date, Year**, recommends that the Department of Natural Resources take action to correct this situation by introducing rule changes allowing a spring dinosaur hunting season.

Name:

Address:

County:

Telephone number (including area code):

Signature:

For Office Use Only:

County \_\_\_\_\_

Passed or Failed

County Resolution Number: \_\_\_\_\_

County Vote: (by show of hands or written ballot where appropriate) YES \_\_\_\_\_ NO \_\_\_\_\_

## How a Resolution Becomes a Law Change

Each year the Conservation Congress accepts written resolutions, from the public, in each county throughout the state regarding natural resource issues of statewide concern.

These resolutions are introduced by a citizen in attendance during the Conservation Congress portion of the Spring Rules Hearings, the second Monday in April.

At that time, individuals in attendance at the meeting can vote on the resolutions within the county. Resolutions that do not receive a passing county vote are sent back to the author, by the county chair and will not be taken up by the Conservation Congress.

Resolutions that receive a passing vote are then forwarded onto the Rules and Resolutions Committee of the Wisconsin Conservation Congress in May. The Rules & Resolutions Committee will assign the resolution to an advisory committee by vote, or they may choose not to forward the resolution. The Rules & Resolutions committee will follow-up with resolution authors in regards to the action taken on their resolution.

Once a resolution has been assigned to an advisory committee, a letter will be sent to the author of the resolution requesting that they attend the committee meeting that their resolution will be before. At that time, the resolution author has the opportunity to present new information to the committee regarding their resolution.

The committee will either pass, table or reject the resolution. If the resolution passes, is tabled or rejected the committee chair will send a letter to the resolution author indicating what has happened with their resolution.

If a resolution passes the committee, it will be turned into question format and given to the Executive Council in January. Committee questions that pass the Executive Council are then put forth to the public for the upcoming Conservation Congress portion of the Spring Hearings. Resolutions that do not pass the Executive Council are not forwarded, committee chairs are then contacted with the action taken on the question.

The public then votes on the Conservation Congress Advisory Questions in April. Those results are then forwarded to the Conservation Congress Annual Convention. At the convention, the Conservation Congress can choose to uphold the public's opinion or may choose to table or reject the public's opinion. All questions and results from the convention are then forwarded to the Natural Resources Board as advisement from the Conservation Congress.

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